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Regulations

TITLE 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation

[Amdt. 1]

PART 414—WHEAT CROP INSURANCE REGULATIONS FOR INSURANCE CONTRACTS COVERING THE 1945, 1946, AND 1947 CROP YEARS

MISCELLANEOUS AMENDMENTS

The Wheat Crop Insurance Regulations contained in Part 414 are hereby redesignated as set forth above and are also hereby amended as follows:

1. Paragraph (a) of § 414.1 is amended to read:

§ 414.1 *Availability of wheat crop insurance.* (a) Wheat crop insurance under contracts covering the 1945, 1946 and 1947 crop years will be provided in accordance with the regulations in this part. For the 1945 crop year, however, no insurance will be provided on winter wheat. The coverage per acre of wheat crop insurance will be 50 or 75 percent of the average yield of wheat for the farm.

2. Section 414.9 is amended to read:

§ 414.9 *Amount of annual premium.* (a) The annual premiums for each insurance unit under the contract shall be the number of bushels of wheat determined by multiplying the insured acreage of wheat for the insurance unit by the premium rate per acre and by the insured interest in the crop at the time of seeding. If more than one premium rate has been established for the insurance unit, a premium shall be computed separately using the applicable acreage for each rate, and the total of the amounts so computed shall be the premium for the insurance unit. The annual premium for the insurance contract shall be the total of the premiums computed for the insured for all insurance units covered by the contract. The annual premium with respect to any insured acreage shall be regarded as earned when the wheat crop on such acreage is seeded.

The minimum annual premium payable by the insured with respect to any insurance contract shall be three bushels of wheat for 1945 and two bushels of wheat for 1946 and 1947.

(b) In any area designated by the Corporation, the insured's annual premium may be reduced in any year not to exceed 50 percent, if it is determined by the Corporation, from a comparison of the insured production with the accumulated balance of premiums paid over indemnities received on consecutively insured crops for the years during which insurance was available (beginning with the 1939 crop, but excluding the 1945 crop if no application for insurance was submitted), that the risk on wheat crops produced by the insured justify such reduction: *Provided, however,* That the Corporation may determine that the premium rates for all insurance units in any or all such areas shall be adjusted to compensate for such reductions. Failure to apply for insurance in any year, except 1945, shall render any person ineligible for the benefits of this paragraph on the basis of any accumulated balance of premiums previously paid if insurance is offered in the county in which such person's farm is located and even though insurance may not be provided in the county during such year because of the limitation in § 414.1 (b) hereof; *Provided, however,* That failure to submit an application for insurance in any year will not render a person ineligible for the benefits of this paragraph, if (1) the failure to submit an application was due to service in the active military or naval service of the United States, or (2) the insured establishes to the satisfaction of the Corporation, prior to the applicable 1946 note maturity date, that failure to submit an application in any year prior to 1946 was due to the fact that wheat was not seeded in that year. Nothing in this provision shall create in the insured any right to a reduced premium as a result of the total premiums he has paid exceeding the total indemnities he has received.

(c) The insured's annual premium payment may be reduced 10 percent in 1946 or in any subsequent year immediately following five wheat crops (begin-

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NOTICE

1944 Supplement

Book 1 of the 1944 Supplement to the Code of Federal Regulations, containing Titles 1-10, including Presidential documents in full text, is now available from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy.

A limited sales stock of the Cumulative Supplement and the 1943 Supplement is still available as previously announced.

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ning with the 1939 or any subsequent crop) covered by insurance (which must be consecutive crops if insurance was available, except as to the 1945 crop unless the 1945 crop was covered by insurance), which have been produced by him in the county without a loss for which an indemnity was paid: *Provided, however*, That this provision shall not apply when the premium is reduced pursuant to paragraph (b) of this section. Failure to apply for insurance in any year, except 1945, shall render any person ineligible for the benefits of this paragraph if insurance is offered in the county in which such person's farm is located and even though insurance may not be provided in the county during such year because of the limitation in § 414.1 (b) hereof: *Provided, however*, That failure to submit an application for insurance in any year will not render a person ineligible for the benefits of this paragraph, if (1) the failure to submit an application was due to service in the active military or naval service of the United States, or (2) the insured establishes to the satisfaction of the Corporation, prior to the applicable 1946 note maturity date, that failure to submit an application in any year prior to 1946 was due to the fact that wheat was not seeded in that year.

3. Paragraph (b) of § 414.15 is amended to read:

(b) Where the insured fails to establish and maintain separate records of acreage or production for the component parts of a combination of two or more insurance units or portions thereof, the insurance with respect to such units under the contract may be voided by the Corporation for the year in question and the premium forfeited by the insured: *Provided, however*, That if all the component

parts of the combination are insured the total of the insured production for the component parts shall be considered as the insured production for the combination, and any loss for such combination shall be determined as outlined in paragraph (a) of this section.

4. Paragraph (j) of § 414.37 is amended to read:

(j) "Insured acreage" means either the acreage reported by the insured as seeded to wheat on the insurance unit, or the acreage determined by the Corporation as actually seeded thereon, whichever the Corporation shall elect: *Provided, however*, That the Corporation reserves the right to limit the acreage to be insured in any year. Any acreage seeded to wheat on the insurance unit which is put to another use before it is too late to reseed to wheat, as determined by the Corporation, or any acreage seeded to wheat in 1940 or 1947 which is destroyed or substantially destroyed before it is too late to reseed to wheat, as determined by the Corporation, and the acreage is left idle or is fallowed until it is too late to reseed to wheat, shall not be considered insured acreage.

Adopted by the Board of Directors on August 3, 1945.

[SEAL]

E. R. DUEE,
Chairman.

Approved: August 21, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-15507; Filed, Aug. 21, 1945; 3:30 p. m.]

[Amtd. 2]

PART 418—WHEAT CROP INSURANCE REGULATIONS FOR INSURANCE CONTRACTS COVERING THE 1946, 1947, AND 1948 CROP YEARS

MISCELLANEOUS AMENDMENTS

The Wheat Crop Insurance Regulations contained in Part 418 are hereby amended as follows:

1. Paragraphs (b) and (c) of § 418.12 are amended to read:

(b) In any area designated by the Corporation, the insured's annual premium may be reduced in any year not to exceed 50 percent, if it is determined by the Corporation, from a comparison of the insured production with the accumulated balance of premiums paid over indemnities received on consecutively insured crops for the years during which insurance was available (beginning with the 1939 crop, but excluding the 1945 crop if no application for insurance was submitted), that the risk on wheat crops produced by the insured justifies such reduction: *Provided, however*, That the Corporation may determine that the premium rates for all insurance units in any or all such areas shall be adjusted to compensate for such reductions. Failure to apply for insurance in any year, except 1945, shall render any person ineligible for the benefits of this paragraph on the basis of any accumulated balance

of premiums previously paid, if insurance is offered in the county in which such person's farm is located and even though insurance may not be provided in the county during such year because of the limitation in § 418.1 (b) hereof: *Provided, however*, That failure to submit an application for insurance in any year will not render a person ineligible for the benefits of this paragraph, if (1) the failure to submit an application was due to service in the active military or naval service of the United States, or (2) the insured establishes to the satisfaction of the Corporation, prior to the applicable 1946 note maturity date, that failure to submit an application in any year prior to 1946 was due to the fact that wheat was not seeded in that year. Nothing in this provision shall create in the insured any right to a reduced premium as a result of the total premiums he has paid exceeding the total indemnities he has received.

(c) The insured's annual premium payment may be reduced 10 percent in 1946 or in any subsequent year immediately following five wheat crops (beginning with the 1939 or any subsequent crop) covered by insurance (which must be consecutive crops if insurance was available, except as to the 1945 crop unless the 1945 crop was covered by insurance), which have been produced by him in the county without a loss for which an indemnity was paid: *Provided, however*, That this provision shall not apply when the premium is reduced pursuant to paragraph (b) of this section. Failure to apply for insurance in any year, except 1945, shall render any person ineligible for the benefits of this paragraph if insurance is offered in the county in which such person's farm is located and even though insurance may not be provided in the county during such year because of the limitation in § 418.1 (b) hereof: *Provided, however*, That failure to submit an application for insurance in any year will not render a person ineligible for the benefits of this paragraph, if (1) the failure to submit an application for insurance was due to service in the active military or naval service of the United States, or (2) the insured establishes to the satisfaction of the Corporation, prior to the applicable 1946 note maturity date, that failure to submit an application in any year prior to 1946 was due to the fact that wheat was not seeded in that year.

2. Paragraph (b) of § 418.20 is amended to read:

(b) In case of a cash settlement under a certificate of indemnity, the cash equivalent of the indemnity shall be the number of bushels of wheat specified in the certificate of indemnity multiplied by the cash equivalent price per bushel for the day the certificate of indemnity or other request of the insured for cash settlement or for determining the cash equivalent is received in the branch office of the Corporation or the expiration date of the certificate, whichever occurs first. A cash settlement under a certificate of indemnity made more than 14 days after the issuance of the certificate shall be subject to a deduction for a reasonable

charge for storage and handling and the schedule of such charges shall be shown on the certificate of indemnity.

Adopted by the Board of Directors on August 3, 1945.

[SEAL]

E. R. DUKE,
Chairman.

Approved: August 21, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-15508; Filed, Aug. 21, 1945;
3:30 p. m.]

Chapter VII—Agricultural Adjustment Agency

[ACP-1945-3]

PART 701—AGRICULTURAL CONSERVATION PROGRAM

FLAXSEED PAYMENT GOALS

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, the 1945 Agricultural Conservation Program, as amended, is further amended as follows:

Section 701.603 (a) (2) is amended to read as follows:

§ 701.603 *Flaxseed payment*—(a) *Flaxseed goals.* * * *

(2) *State goals.* State goals are as follows:

	Acres
Illinois.....	1, 150
Indiana.....	1, 200
Iowa.....	117, 000
Michigan.....	9, 200
Minnesota.....	1, 485, 000
Missouri.....	16, 300
Nebraska.....	1, 900
Ohio.....	190
South Dakota.....	510, 600
Wisconsin.....	10, 800
Oklahoma.....	33, 000
Texas.....	76, 500
Arizona.....	16, 000
California.....	129, 000
Idaho.....	900
Kansas.....	198, 000
Montana.....	486, 000
North Dakota.....	1, 903, 000
Oregon.....	880
Washington.....	980
Wyoming.....	2, 400

Done at Washington, D. C., this 21st day of August, 1945. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-15506; Filed, Aug. 21, 1945;
3:30 p. m.]

Chapter XI—War Food Distribution Orders

[WFO 81, as Amended, Termination]

PART 1440—ESSENTIAL OILS

OIL OF PEPPERMINT

War Food Order No. 81, as amended (8 F.R. 12525; 9 F.R. 152, 4321, 4319, 7297, 9584, 11927; 10 F.R. 103, 126, 9258), to-

gether with all orders (9 F.R. 937, 11927) issued pursuant to said War Food Order No. 81, as amended, are terminated at 12:01 a. m., e. w. t., August 22, 1945.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 81, as amended, and any of the said orders issued pursuant thereto as aforesaid, prior to the effective time of this termination order, all provisions of said War Food Order No. 81, as amended, and of the said orders issued pursuant thereto in effect prior to the effective time of this termination order shall be deemed to be in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 21st day of August 1945.

[SEAL]

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-15510; Filed, Aug. 21, 1945;
3:31 p. m.]

[WFO 42a, Amdt. 5]

PART 1460—FATS AND OILS

INCREASED QUOTAS

War Food Order No. 42a, as amended (9 F. R. 12078, 14926; 10 F. R. 943, 3315), is further amended by deleting the table at the end of paragraph (b) (1) and substituting in lieu thereof the following:

Class of product	Permitted percentages	
	July 1 to September 30, 1945	Effective October 1, 1945
Paints, varnishes, lacquers, and other protective coatings.....	46	50
Linoleum, oilcloth (for floor coverings), and felt base floor coverings.....	46	50
Oilcloth (except for floor coverings) and all other coated fabrics.....	46	50
Paint containing not more than 2 pounds of fats and oils per gallon (by a manufacturer of paste water, dry casein or dry protein paint) during the base period....	46	50

This amendment shall become effective at 12:01 a. m., e. w. t., July 1, 1945. With respect to violations, rights accrued, liabilities incurred, or appeals taken, prior to said date, under War Food Order No. 42a, as amended, all provisions of said order shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal. (E. O. 9280, 7 F. R. 10179; E. O. 9577, 10 F. R. 8087)

Issued this 21st day of August 1945.

[SEAL]

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-15509; Filed, Aug. 21, 1945;
3:31 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 703—APPOINTMENT OF COMMISSIONED OFFICERS, WARRANT OFFICERS AND CHAPLAINS

APPOINTMENT OF WARRANT OFFICERS

Section 703.303 is amended by designating the first paragraph (a) and adding paragraph (b) as follows:

§ 703.303 *Appointments.* (a) * * * (b) If a successful applicant is serving on active duty as a commissioned officer in the Army of the United States at the time his name is reached on the eligible list for appointment as a warrant officer, junior grade, to fill an existing vacancy, such applicant, if found physically qualified at that time, will be tendered a selection letter advising him of his selection for appointment upon honorable termination of active duty as a commissioned officer. The recipient of a selection letter whose active service as a commissioned officer terminates honorably and who applies for such appointment within 6 months after the termination of his active commissioned service will, irrespective of physical disqualification incurred or having its inception while on active duty in line of duty, be given such appointment if a vacancy within the authorized allotment for warrant officers, junior grade, Regular Army, exists at the time he applies for such appointment. To insure the existence of such vacancies, a vacancy will be reserved for the recipient of each selection letter until he applies for such appointment or notifies The Adjutant General of his intention not to enter such application, but not longer than 6 months after the termination of his active commissioned service. The date of rank upon appointment is the date of the selection letter. (55 Stat. 651; 10 U.S.C. Sup. 591-599) [AR 610-10, 28 September 1944 as amended by C1, 2 August 1945]

[SEAL] EDWARD F. WITSELL,
Major General,
Acting The Adjutant General.

[F. R. Doc. 45-15512; Filed, Aug. 21, 1945; 3:36 p. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Administrator of Civil Aeronautics [Amdt. 82]

PART 600—DESIGNATION OF CIVIL AIRWAYS **RED AND BLUE CIVIL AIRWAYS**

AUGUST 8, 1945.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the regulations of the Administrator of Civil Aeronautics as follows:

Designation of Civil Airways: Red Civil Airway No. 54. Redesignation of Civil Airways: Blue Civil Airway No. 43.

1. By adding a new § 600.10253 to read as follows:

§ 600.10253 *Red civil airway No. 54 (Timpie, Utah to Salt Lake City, Utah).* From a point located at 40°45' north

latitude and 112°45' west longitude to the Salt Lake City, Utah radio range station.

2. By amending § 600.10342 to read as follows:

§ 600.10342 *Blue civil airway No. 43 (Birmingham, Ala., to Nashville, Tenn.).* From the intersection of the center lines of the on course signals of the north leg of the Birmingham, Ala., radio range and the southwest leg of the Chattanooga, Tenn., radio range to a point located at 35°50' north latitude and 86°19' west longitude.

This amendment shall become effective 0001 e. w. t., September 1, 1945.

T. P. WRIGHT,
Administrator of Civil Aeronautics.
[F. R. Doc. 45-15526; Filed, Aug. 22, 1945; 9:33 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission [Docket No. 3660]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

BONCQUET LABORATORIES

§ 3.6 (c) *Advertising falsely or misleadingly—Composition of goods:* § 3.6 (b) *Advertising falsely or misleadingly—Qualities or properties of product or service.* In connection with the offering for sale, sale, or distribution of respondent's preparation designated "Bonquet Blood Building Tablets," "Bonquet Hemo-Tabs," or "Bonquet Tablets," or any other preparation of similar composition or possessing substantially similar properties, whether sold under the same names or under any other name, disseminating, etc., any advertisements by means of the United States mails, or in commerce, or by any means to induce, etc., directly or indirectly, purchase in commerce, etc., of said preparation, which advertisements represent, directly or through inference, (a) that said preparation is a cure or remedy for pernicious anemia or that it has any therapeutic value in the treatment of such condition; (b) that respondent's preparation contains iron in effective therapeutic amounts; (c) that respondent's preparation will regenerate or rebuild the blood; (d) that respondent's preparation will bring to normal-red-cell count the blood of persons suffering from a deficiency of red corpuscles because of anemia or other conditions; or (e) that respondent's preparation, under conditions of use, will stimulate the bone marrow to produce red blood corpuscles; prohibited. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., Sec. 45b) [Cease and desist order, Bonquet Laboratories, Docket 3660, August 7, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 7th day of August, A. D. 1945.

In the Matter of Frederick A. Clarke, an individual, trading as Bonquet Laboratories

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, answer thereto, testimony and other evidence taken before trial examiners of the Com-

mission theretofore duly designated by it, report upon the evidence by Trial Examiners W. C. Reeves and John J. Keenan and exceptions filed thereto, supplemental report upon the evidence filed by Trial Examiner Miles J. Furnas, brief and supplemental brief filed in support of the complaint, and brief of respondent filed in opposition thereto (respondent not having filed supplemental brief and oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that said respondent has violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondent, Frederick A. Clarke, an individual, trading as Bonquet Laboratories or trading under any other name, and his representatives, agents, and employees, directly or through any corporate or other device in connection with the offering for sale, sale, or distribution of his preparation designated "Bonquet Blood Building Tablets," "Bonquet Hemo-Tabs," or "Bonquet Tablets," or any other preparation of similar composition or possessing substantially similar properties, whether sold under the same names or under any other name, do forthwith cease and desist from directly or indirectly:

1. Disseminating or causing to be disseminated any advertisement by means of the United States mails or by any means in commerce as "commerce" is defined in the Federal Trade Commission Act which advertisement represents directly or through inference,

a. That respondent's preparation is a cure or remedy for pernicious anemia or that it has an therapeutic value in the treatment of such condition;

b. That respondent's preparation contains iron in effective therapeutic amounts;

c. That respondent's preparation will regenerate or rebuild the blood;

d. That respondent's preparation will bring to normal-red-cell count the blood of persons suffering from a deficiency of red corpuscles because of anemia or other conditions;

e. That respondent's preparation, under conditions of use, will stimulate the bone marrow to produce red blood corpuscles.

2. Disseminating or causing to be disseminated any advertisement by any means for the purpose of inducing or which is likely to induce, directly or indirectly, the purchase of respondent's preparation in commerce as "commerce" is defined in the Federal Trade Commission Act, which advertisement contains any of the representations prohibited in paragraph 1 hereof and the respective subdivisions thereof.

It is further ordered, That the respondent shall, within sixty (60) days after service upon him of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which he has complied with this order.

By the Commission.

[SEAL] ORIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-15522; Filed, Aug. 22, 1945; 11:02 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter A—Income and Excess Profits Taxes

[T. D. 5473]

PART 30—REGULATIONS UNDER THE EXCESS PROFITS TAX ACT OF 1940

PART 35—EXCESS PROFITS TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

CREDITS AGAINST EXCESS PROFITS TAXES

Section 30.729-3 of Regulations 109 (26 CFR, 1941 Supp., Part 30) and § 35.729-3 of Regulations 112 (26 CFR, Cum. Supp., Part 35) are amended as follows:

PARAGRAPH 1. Section 30.729-3 is amended by striking out the second sentence and inserting in lieu thereof the following:

A taxpayer is allowed such a credit against the excess profits tax for taxable years beginning prior to January 1, 1941, if it claims such credit in its Federal income tax return and likewise claims such credit in its excess profits tax return. For taxable years beginning after December 31, 1940, the taxpayer is allowed such a credit against its excess profits tax if it chooses to have the benefits of such credit (or, having chosen to the contrary, changes its choice) at any time prior to the expiration of the period prescribed by statute for the making of a claim for credit or refund for such taxable year. In any case in which a credit would not be available except by reason of the provisions of section 131 (f) and the taxpayer has for a taxable year beginning prior to January 1, 1941, claimed in its Federal income tax return the benefits of section 131, it shall be deemed, for the purpose of the credit, that such taxpayer has likewise claimed in its excess profits tax return for such year the benefits of section 729 (c).

PAR. 2. Section 35.729-3 is amended by striking out the second sentence and inserting in lieu thereof the following:

If the taxpayer so chooses (or, having chosen to the contrary, changes its choice) at any time prior to the expiration of the period prescribed by statute for the making of a claim for credit or refund for the taxable year, it is allowed such a credit against the excess profits tax.

(Sec. 62 as made applicable by section 729 (a), and section 131 (f) of the Internal Revenue Code (53 Stat. 32; 54 Stat. 989; 56 Stat. 857; 26 U.S.C. 62, 798 (a) and Sup. III, 131 (f))

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: August 21, 1945.

JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 45-15577; Filed, Aug. 22, 1945; 11:54 a. m.]

[T. D. 5474]

PART 30—REGULATIONS UNDER THE EXCESS PROFITS TAX ACT OF 1940

PART 35—EXCESS PROFITS TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

REVIEW BY SPECIAL DIVISION OF TAX COURT

Excess Profits Tax Regulations 109 and 112 amended to conform to Public Law 105, approved June 30, 1945.

In order to conform Regulations 109 (26 CFR, 1941 Supp., Part 30), and Regulations 112 (26 CFR, Cum. Supp., Part 35) to Public Law 105 (79th Congress, 1st Session), approved June 30, 1945, such regulations are amended as follows:

PARAGRAPH 1. There is inserted immediately preceding § 30.732-1 the following:

JOINT RESOLUTION. (Public Law 105, 79th Congress, approved June 30, 1945.)

SEC. 2. Section 732 (d) of the Internal Revenue Code is amended to read as follows:

(d) *Review by Special Division of Board.* The determinations and redeterminations by any division of the Board involving any question arising under section 721 (a) (2) (C) or section 722 with respect to any taxable year shall be reviewed by a special division of the Board which shall be constituted by the Chairman and consist of not less than three members of the Board. The decisions of such special division shall not be reviewable by the Board, and shall be deemed decisions of the Board.

PAR. 2. Section 30.732-1, as amended by Treasury Decision 5264, approved May 8, 1943, is further amended by changing the third sentence of the third paragraph to read as follows:

If the determinations and redeterminations by any division of The Tax Court involve any question arising under section 721 (a) (2) (C) or section 722 with respect to any taxable year, such determinations and redeterminations shall be reviewed by a special division of The Tax Court which shall be constituted by the Presiding Judge and shall consist of not less than three judges of The Tax Court.

PAR. 3. There is inserted immediately preceding § 35.732-1 the following:

JOINT RESOLUTION. (Public Law 105, 79th Congress, approved June 30, 1945.)

SEC. 2. Section 732 (d) of the Internal Revenue Code is amended to read as follows:

(d) *Review by Special Division of Board.* The determinations and redeterminations by any division of the Board involving any question arising under section 721 (a) (2) (C) or section 722 with respect to any taxable year shall be reviewed by a special division of the Board which shall be constituted by the Chairman and consist of not less than three members of the Board. The decisions of such special division shall not be reviewable by the Board, and shall be deemed decisions of the Board.

PAR. 4. Section 35.732-1 is amended by changing the third sentence of the third paragraph to read as follows:

If the determinations and redeterminations by any division of The Tax Court involve any question arising under section 721 (a) (2) (C) or section 722 with respect to any taxable year, such determinations and redeterminations shall be reviewed by a special division of The

Tax Court which shall be constituted by the Presiding Judge and shall consist of not less than three judges of The Tax Court.

(Sec. 62 of the Internal Revenue Code (53 Stat. 32; 26 U.S.C. 62) as made applicable by section 729 (a) of the Internal Revenue Code (54 Stat. 989; 26 U.S.C. 729 (a)) and Public Law 105, approved June 30, 1945)

[SEAL] JOSEPH D. NUNAN, Jr.,
Commissioner of Internal Revenue.

Approved: August 21, 1945.

JOSEPH J. O'CONNELL, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 45-15578; Filed, Aug. 22, 1945; 11:54 a. m.]

TITLE 29—LABOR

Chapter VII—War Manpower Commission

[Reg. 4, Rescission]

PART 904—TRANSFER OF WORKERS AT INCREASED RATES OF PAY

Pursuant to the authority vested in me as Chairman of the War Manpower Commission by Executive Orders Nos. 9139, 9279 and 9328 (7 F.R. 2919, 10177, 8 F.R. 4681), War Manpower Commission Regulation No. 4, as revised, (8 F.R. 11337, 9 F.R. 12917) is hereby rescinded, effective as of the date of the approval thereof by the Director of Economic Stabilization.

PAUL V. McNUTT,
Chairman.

AUGUST 18, 1945.

Approved: August 20, 1945.

WILLIAM H. DAVIS,
Director,
Office of Economic Stabilization.
[F. R. Doc. 45-15513; Filed, Aug. 21, 1945; 3:39 p. m.]

Chapter IX—Agriculture Department
(Agricultural Labor)

[Supp. 65, Amdt. 1]

PART 1103—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF TEXAS
WORKERS ENGAGED IN PICKING AMERICAN UPLAND COTTON IN CERTAIN COUNTIES OF TEXAS

Section 1103.1 (10 F.R. 9999) is hereby amended as follows:

1. The title of § 1103.1 shall read:

§ 1103.1 *Wages of workers engaged in picking, pulling, or snapping American Upland cotton in the Counties of Wharton, Fort Bend, Brazoria, Jackson, Colorado, Calhoun, Matagorda, Victoria, and Refugio, State of Texas.*

2. Paragraph (a) shall read:

(a) *Areas, crops and classes of workers.* Persons engaged in picking, pulling, or snapping American Upland cotton in the Counties of Wharton, Fort Bend, Brazoria, Jackson, Colorado, Calhoun, Matagorda, Victoria, and Refugio, State of Texas, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547, 10 F.R. 9478, 9628).

3. Paragraph (b) shall read:

(b) *Maximum wage rates for picking, pulling, or snapping American Upland cotton.*

(1) Maximum wage rate for picking American Upland cotton—\$1.75 per 100 pounds of well picked, clean, seed cotton.

(2) Maximum wage rate for pulling, or snapping American Upland cotton—\$1 per 100 pounds of seed cotton.

Effective date. This Amendment 1 to Supp. 65 shall become effective at 12:01 a. m., central war time, August 22, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. IV); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. IV); 58 Stat. 632 (1944); Pub. Law 108, 79th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547, 10 F.R. 9478, 9628; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 10 F.R. 7609, 9581; 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 22d day of August 1945.

[SEAL] WILSON R. BUIE,
Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45-15534; Filed, Aug. 22, 1945;
11:11 a. m.]

[Supp. 70]

PART 1105—SALARIES AND WAGES OF AGRICULTURAL LABOR IN THE STATE OF MAINE

WORKERS ENGAGED IN HARVESTING POTATOES IN CERTAIN COUNTIES OF MAINE

§ 1105.1 *Workers engaged in the harvesting of potatoes in Arrostook County and in the townships of Mount Chase, Patten, Staceyville and Davidson in Penobscot County, State of Maine.* Pursuant to § 4001.7 of the regulations of the Economic Stabilization Director relating to salaries and wages issued August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; 10 F.R. 9478, 9628) and to the regulations of the War Food Administrator issued March 23, 1945 (10 F.R. 3177) entitled "Specific Wage Ceiling Regulations" and based upon a certification of the Maine USDA Wage Board that a majority of the producers of potatoes in the area affected participating in hearings conducted for such purpose have requested the intervention of the Secretary of Agriculture and based upon relevant facts submitted by the Maine USDA Wage Board and obtained from other sources, it is hereby determined that:

(a) *Areas, crops and classes of workers.* Persons engaged in harvesting potatoes in Arrostook County and in the townships of Mount Chase, Patten, Staceyville and Davidson in Penobscot County, State of Maine, are agricultural labor as defined in § 4001.1 (1) of the regulations of the Economic Stabilization Director issued on August 28, 1943, as amended (8 F.R. 11960, 12139, 16702; 9 F.R. 6035, 14547; 10 F.R. 9478, 9628).

(b) *Maximum wage rates for harvesting potatoes.*

(1) For picking up potatoes—18¢ per barrel.

(2) For harvest labor other than picking up potatoes—\$12 per day.

The rates specified above are exclusive of board and room. Where an employer furnishes board, or board and room, a deduction of \$10 per week must be made therefor except that this deduction shall not operate to reduce the earnings of pickers below 13¢ per barrel for the period charged.

(c) *Administration.* The Maine USDA Wage Board, located at Orono, Maine, will have charge of the administration of this section in accordance with the provisions of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177).

(d) *Applicability of specific wage ceiling regulations.* This section shall be deemed to be a part of the specific wage ceiling regulations issued by the War Food Administrator on March 23, 1945 (10 F.R. 3177) and the provisions of such regulations shall be applicable to this section and any violation of this section shall constitute a violation of such specific wage ceiling regulations.

(e) This Supplement 70 shall become effective at 12:01 a. m., eastern war time, August 22, 1945.

(56 Stat. 765 (1942), 50 U.S.C. App. 961 et seq., (Supp. IV); 57 Stat. 63 (1943); 50 U.S.C. 964 (Supp. IV); 58 Stat. 632 (1944); Public Law 108, 79th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; E.O. 9577, 10 F.R. 8087; regulations of the Economic Stabilization Director, 8 F.R. 11960, 12139, 16702, 9 F.R. 6035, 14547, 10 F.R. 9478, 9628; regulations of the War Food Administrator, 9 F.R. 655, 12117, 12611, 10 F.R. 7609, 9581; 9 F.R. 831, 12807, 14206, 10 F.R. 3177)

Issued this 21st day of August 1945.

[SEAL] WILSON R. BUIE,
Director of Labor,
U. S. Department of Agriculture.

[F. R. Doc. 45-15535; Filed, Aug. 22, 1945;
11:11 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

AUTHORITY: Regulations in this chapter, unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 59 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2718; W.P.B. Reg. 1 as amended Dec. 31, 1943, 9 F.R. 64.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, as Amended Aug. 21, 1945]

§ 944.23 *Priorities Regulation 3—(a) Purpose of this regulation.* This regulation states the rules for the use of preference ratings, what kind of purchase orders or services may be rated and how a rating may be put on an order. It also places restrictions on the use of ratings and includes lists of products for which ratings may not be used at all or for which certain kinds of ratings may not be used. In general this regulation should be consulted before using a rating whether it was gotten directly from the War Production Board or from a customer.

(b) *Definitions.* For the purposes of this regulation:

(1) "Person" and "material" mean the same thing they do in Priorities Regulation 1.

(2) "Assignment" of a preference rating. A preference rating is assigned to a person when the War Production Board or someone that it has authorized issues an order or preference rating certificate giving him the right to use the rating.

(3) "Application" of a preference rating. A preference rating is applied when the person to whom it is assigned uses the rating. A rating is applied also when any governmental agency which is authorized by the War Production Board rates an order for delivery of material directly to it.

(4) "Extension" of a preference rating. A preference rating is extended when it is used by the person to whom it is applied or extended by another person.

(c) *Use of ratings in general.* (1) When a regulation, preference rating order or preference rating certificate assigns a rating to any person, either by naming him or by describing the class of persons to which he belongs (as is done in the schedules to CMP Regulation 5), that person may apply the rating to get delivery of material or the performance of certain services. Also, a person may under certain conditions extend a rating which has been applied or extended to his deliveries of material, but not one applied to services. More detailed rules as to how and when ratings may be applied or extended are set out below in this regulation.

(2) When a War Production Board order or certificate states the quantities and kinds of material or the particular services which are rated, the person to whom it is assigned may use the rating to get only that quantity and kind of material or that particular service named in the order or certificate. If the quantities of material are not stated in the order or certificate assigning the rating it may be applied only to get the minimum amount needed.

(3) No person may place rated orders for more material than he is authorized to rate even though he intends to cancel some of the orders or reduce the quantity of material ordered to the authorized amount before it is all delivered.

(d) *When AA ratings may be extended for material.* The following provisions of this paragraph (d) apply to all extensions of preference AA ratings to get deliveries of material, unless they are modified by or are inconsistent with the provisions of any particular order.

(1) A manufacturer of Class B products under the Controlled Materials plan and a holder of Form WFB-2613 (formerly PD-870) may not extend his customers' AA ratings as explained in more detail in CMP Regulation 3 and in Priorities Regulation 11B.

(2) When a person has received a AA rated order for the delivery of material, he may extend the AA rating to get the material which he will deliver on that order, or which will be physically incorporated in material which he will deliver. If the material is to be processed, this

includes the portion of it which would normally be consumed or converted into scrap or by-products in the course of processing.

(3) If a person has made delivery of material, or has incorporated it into other material which he has delivered on an AA rated order, he may extend the AA rating to replace it in his inventory. However, if after delivering the material he still has a practicable working minimum inventory he may not extend the AA rating to replace the material delivered; and if by making the delivery his inventory is reduced below this minimum, the AA rating may be extended to get only the amount necessary to restore the inventory to a practicable working minimum. Any material ordered to replace in inventory must be substantially the same as the material which the person delivered or incorporated in the material which he delivered, except for minor variations in size, shape or design.

(4) A person to whom an AA rating has been applied or extended to get material may not extend that AA rating to get containers or closures to pack the material except as permitted by any order in the Containers, Part 3270, Series (Orders P-140 and P-146 are the only ones that now permit the extension of such AA ratings). Nor may he extend such AA rating to get any material for his own plant improvement, expansion or construction, or to get machine tools or other items which he will carry as capital equipment, or to get business machines for his own use whether purchased or leased, or to get maintenance, repair or operating supplies for his own use. Other orders or regulations, such as CMP Regulation 5 and some orders in the "P" series, assign ratings which may be used by the proper persons to get maintenance, repair or operating supplies and minor capital additions.

(d-1) AAA, MM and CC ratings. (1) AAA and MM ratings may be extended under the same conditions as AA ratings, as described in paragraph (d), subject to the conditions of this regulation; except that manufacturers of Class B and unclassified products may extend these ratings for deliveries of production materials to them during the fourth quarter of 1945 and subsequent quarters.

(2) CC ratings may not be extended by a supplier to get production materials needed to make the item sold to his customer, or to replace in inventory materials used to make the item. A distributor, warehouse, retailer, or other person who resells the item without further fabrication may extend the CC rating where he does not have the item in inventory, but may not extend the rating to replace the item in inventory.

(e) Additional restrictions upon use of ratings for certain materials. Because of special circumstances which exist with respect to certain materials and products, the use of preference ratings to get items on Lists A or B attached to this regulation is restricted as follows:

(1) Items as to which preference ratings have no effect; List A. Any item on List A may be produced or delivered without regard to preference ratings. No person shall apply or extend any rating to get any of these items and no person selling any such item shall require a rating as a condition of sale. Any rating purporting to be applied or extended to any such item shall be void and no person shall give any effect to it in filling an order.

(2) Items to which blanket MRO ratings do not apply; List B. Blanket MRO ratings may not be applied to get any item on List B, except as permitted by the list. A blanket MRO rating means a rating assigned by CMP Regulation 5 or 5A, or by any other War Production Board regulation, order (including an order in the "P" series), form or certificate which assigns a rating for maintenance, repair or operating supplies without specifying the kind and quantity of the material to which the rating may be applied. Where the quantity of material is specified in terms of dollar value only, the rating is a blanket MRO rating. No person shall give any effect to any rating applied to his deliveries of any item on List B if he knows or has reason to believe that it is a blanket MRO rating. Any blanket MRO rating applied to an order for any item on List B which was not delivered before the date the item was added to the list shall be deemed void. The restrictions of this paragraph are not applicable when the blanket MRO rating is applied to get an item on the list for use on board ship, but in such a case the rating may not be extended by the person to whom it is applied.

(3) Illustration. A manufacturer of a product listed in Schedule II of CMP Regulation 5 is assigned a rating of AA-2 for operating supplies. He may not use the rating to buy wooden shelving for his own use since it is on List B. A contractor has received an order bearing a rating of AA-3 to install wooden shelving in an Army camp. He may extend that rating to get the wooden shelving from the manufacturer since in this case the shelving is production material as to him and not operating supplies. If, however, wooden shelving were on List A instead of List B, neither rating could be used.

(f) Use of ratings for services—(1) Ratings may not be used for personal services. Preference ratings may never be used to get labor or personal services as distinct from services performed in the course of a regular business involving the use of plant, machinery or equipment owned by the person furnishing the services. For example, ratings may be used to get a repair job done in a repair shop as explained below but may not be used to compel an individual employee to work on a repair job or to obtain the services of a consulting engineer.

(2) Three cases where ratings may be used for services. There are only three situations in which a preference rating may be used to get services, as distinct from the production or delivery of material:

(i) A rating assigned for the purpose. If the War Production Board assigns a rating to a named person to get specified

services, he may use the rating for that purpose.

(ii) For processing. When a person has a rating which he may use to get processed material, he may (unless prohibited by another regulation or order) furnish the unprocessed material to a processor and use the same rating to get it processed.

(iii) For repairs. A blanket MRO rating may be applied by the person to whom it is assigned to get his plant, machinery or equipment repaired even if the repair job does not involve the delivery of repair parts or materials. See paragraph (e) (2) for definition of a blanket MRO rating. A rating assigned on Form WPB-541 (formerly PD-1A) or WPB-542 (formerly PD-3A), or any other rating which may be applied to the delivery of specific repair parts or materials, may also be applied to the installation of the repair parts or materials or to the repair job alone if it is found that installing the parts or materials is not necessary. However, in the case of ordinary plumbing, heating, electrical, automotive or refrigeration repairs, a rating may not be applied to repair work even if the rating is expressly applicable to repair parts or materials. As used in this subparagraph, "repair" means to fix a plant, machinery or equipment after it has broken down or when it is about to break down. "Repair" does not mean upkeep or maintenance service such as periodic inspection, cleaning, painting, lubricating, etc.

(3) Ratings for services only may not be extended. A person to whom a rating for services, as distinct from the production or delivery of material, has been applied or extended may not extend the rating for any purpose.

(g) How to apply or extend a rating. (1) When a person applies or extends a preference rating he must put the rating (and symbol, if appropriate) on the order together with a certification signed as prescribed in Priorities Regulation 7. He may use the standard certification set out in that regulation, or if he prefers the following:

CERTIFICATION

The undersigned purchaser hereby represents to the seller and to the War Production Board that he is entitled to apply or extend the preference ratings indicated opposite the items shown on this order, and that such application or extension is in accordance with Priorities Regulation 8 as amended, with the terms of which the undersigned is familiar.

(Name of Purchaser)

(Address)

By -----
(Signature and Title of
Duly Authorized Officer)

(Date)

The person who receives the certification shall be entitled to rely on it as a representation of the buyer unless he knows or has reason to know that it is false.

NOTE: (Subparagraphs (2) and (3) deleted April 25, 1944. They are superseded by paragraphs (o) and (p) of Priorities Regulation 7, which state the rules for placing rated orders orally or by telephone or telegraph.)

(4) When a person applies or extends a rating he shall also include on his purchase order or contract any information which may be required by any applicable War Production Board order. However, he is not required to include the serial number of the preference rating certificate assigning the rating.

(5) Each person who applies or extends a rating must keep at his regular place of business all documents including purchase orders and preference rating orders and certificates which authorize him to apply or extend the rating. These documents, orders and certificates must be kept in such a way that they can be readily segregated and furnished to representatives of the War Production Board for inspection.

(6) When either certification authorized in this paragraph (g) is used it will not be necessary to use any other certification in order to apply or extend a preference rating, nor will it be necessary to furnish a copy of any preference rating order no matter what any regulation, preference rating order or preference rating certificate says unless it expressly states that this regulation does not apply. This does not affect the requirements of Priorities Regulation No. 9 (§ 944.30) when ratings are applied to certain types of exports, in which case its terms control.

(7) No person shall knowingly purport to apply or extend a preference rating to any order unless he is entitled to do so. No person shall apply or extend a rating for material or services after he has received the material or after the services have been performed, and any person who receives such a rating shall not extend it.

(h) *Provisions applicable to extensions; deferment and grouping.* No matter what any applicable preference rating order or certificate may say,

(1) No person may extend any rating to replace inventory after three months have passed from the time he could have first extended it;

(2) When a person has two or more ratings of the same grade which were assigned by different preference rating certificates or orders he may combine them and extend them to one delivery; and

(3) When a person has two or more ratings of different grades, or where they were assigned by the same or different certificates or orders, he may extend them to deliveries under one purchase order. However, the purchase order must show the amount of each material to which a particular grade of rating is extended. If the type and quantity of the material is such that the supplier can readily determine the exact effect of the extension of the rating on his production and delivery schedule from percentage figures alone, then the purchase order may show the amount of the material to which the particular grade of rating is extended on a percentage basis; otherwise, it must be shown as a separate item. In order to avoid production or delivery of material in quantities smaller than the minimum commercially practicable a person may combine rat-

ings of different grades and extend the rating of the lowest grade to the total production or delivery.

(i) *Restrictions in other orders.* When any person applies or extends a rating he shall be subject to any applicable rule or restriction which may be set forth in the order of the War Production Board which assigns the rating or any other order which regulates transactions in the material or the facilities for which he is using the rating. This includes restrictions as to the kind and amount of material to which ratings may be applied or extended, requirements for written approval of any particular transaction, restrictions on certain uses of material or facilities and any other rules which may be applicable to the particular transaction. However, the rules of paragraphs (g) (4) and (g) (6) apply unless some other order or certificate expressly says that they do not.

Issued this 21st day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

LIST A

The following items may be delivered without regard to any War Production Board preference ratings:

Chemicals of the following types manufactured or produced for exclusive use in the petroleum industry, as petroleum industry is defined in Preference Rating Order P-98-b:

a. Antioxidants (gum inhibitors) for motor fuels.

b. Chemical additives and compound bases for heavy duty gasoline engine, diesel engine and aviation engine oils.

c. Chemical additives and compound bases for hypoid gear oils.

d. Synthetic catalysts for oil cracking operation.

e. Synthetic catalysts for cumene and co-dimer manufacture.

f. Synthetic catalysts for petroleum isomerization operations.

g. Synthetic catalysts for petroleum sweetening operations.

Communications services.

Dental burs.

Electric energy.

Gas, manufactured combustible, of the type generally distributed by utilities.

Gas, natural.

Petroleum; restricted products as defined in Order M-201.

Silicon carbide settling tank and dust collector fines.

Steam heating, central.

Track-laying tractor repair parts.

Ice.

Tobaccoes.¹

Vegetable, fish, marine animal and animal fats and oils, whether edible or inedible and including their by-products and residues (whether resulting from refining, distillation, saponification, pressing or settling).²

Sulfated, sulfonated, and sulfurized fats and oils.³

Tall oil.³

Wool grease.³

Soap (other than metallic).³

Fatty acids.³

Food for human or animal consumption.³

Glycerine.³

Graphite crucibles.

Pig iron.

¹ Subject to War Food Order 71 (formerly FD Regulation No. 1) of the War Food Administration.

Alarm clocks.

Waste paper.

Water.

Containerboard, as defined in Order M-230.

Low and high temperature fractional distillation equipment for gas and gasoline analysis.

Roofing granules.

LIST B

Blanket MRO ratings, as defined in paragraph (e) (2), may not be used to obtain the items on this list. If a rating is needed to get a specified quantity of any product on the list, application may be made on Form WFB-541 (formerly FD-1A) or on any other form which may be designated for a particular product or for use by a particular person in a War Production Board order.

Adhesive tape backed with cellophane or similar transparent material derived from cellulose.

Animal traps.

Anti-freeze, all types.

Athletic and sport equipment.

Auger Bits, Type 1 as defined in Schedule VIII to Order L-157.

Automotive maintenance equipment as defined in Limitation Order L-270.

Automotive replacement batteries as defined in Limitation Order L-180.

Automotive replacement parts as defined in Limitation Order L-163.

Award emblems, badges, buttons and other similar award pins (not including identification badges).

Bicycles.

Blowers, portable electric hand, and industrial vacuum cleaners.

Can, jar and bottle capping, closing and sealing machinery and equipment (other than screw capping machines) having a retail sales value of \$25 or more, inclusive of motors.

Cast iron cooking utensils.

Cellophane and cellulose acetate film less than three one thousandths (0.003) of one inch thick.

Cellulose caps or bands of any gauge.

Chain, welded coil, sizes 5/16" and under.

Chemicals listed in Direction No. 5 of this regulation. (See that direction for MRO ratings which may be used.)

Chinaware.

Civilian defense devices: any device, equipment, instrument, preparation or other material designed or adapted for use in connection with:

a. Air raid warnings or detection of the presence of enemy aircraft; or

b. Blackouts or dimouts; or

c. The protection of civilians, either individually or collectively against enemy action or attack.

Clocks, watches and timers, including chronometers, chronographs and electrical timers, but excluding interval timers.

Clock and watch repair materials including mainsprings.²

Closures and closing devices required for packaging products to be shipped or delivered, as follows:

a. Closures for glass containers

b. Gummed stay and sealing tape paper and cloth.

c. Paper and paperboard bottle caps, closures, and heads.

Compressors, reciprocating type for compressing air, in any size smaller than 10 horsepower, of the tank mounted design sometimes referred to as the garage or service station type of compressors (new).

Containers, fabricated (in knock-down or set-up form, whether assembled or unassembled) required for packaging products to be

² It is not contemplated that any preference ratings will be assigned by the War Production Board on Form WFB-541 for clock and watch repair materials including mainsprings.

shipped or delivered. For the purpose of this item the word "containers" shall not include shipping reels and skids, or any item which is specifically excluded from the following sub-items (such as "shell containers" in sub-item f.). It shall, however, include but is not limited to:

- a. Bags, all types and specialty envelopes (including those made of paper, textile, combinations of materials, transparent films, metallic foils, parchment, kraft or sulphite).
- b. Baskets and hampers
- c. Cans, as defined in Order M-81
- d. Collapsible tubes
- e. Cooperage, tight and slack
- f. Fibre cans, fibre tubes (except shell containers), fibre bottles, fibre mailing cases, and fibre drums.

g. Folding and set-up boxes (paperboard)
h. Gas cylinders (including only metal containers as described in Item 1 of Table 17 of Order M-293).

- i. Glass containers
- j. Ice cream cans (paperboard) and paraffin cartons and pails.
- k. Paper cups and paper food containers, except as permitted by Order L-336.
- l. Paper milk containers.
- m. Steel shipping drums as defined in Order L-197
- n. Wooden and fibre inner containers
- o. Wooden and fibre shipping containers and parts, as defined in Order P-140.
- p. Metal strapping, as covered in Order P-152.

Corrugated and solid fiber sheets, not constituting "fibre shipping containers" as defined in Order P-146.

Cutlery, as defined in any order of the L-140 series.

Domestic and commercial electric fans.
Domestic electric ranges.
Drums, hard rubber.

Electrical appliances as defined in Order L-65.

Electric irons.
Electronic heating generators.
Electronic intercommunicating systems, including public address systems.
Enameled ware, as defined by Limitation Order L-30-b.

Fans (see "Industrial air circulators, new" and "Domestic and commercial electric fans").

Filing cabinets, wooden.
Fire protective equipment, including only:
a. Fire pumps.
b. Fire sprinkler systems.
Flatware.
Frying pans.
Fuel.

Furniture for any use, except furniture specifically designed for schools.

Galvanized ware and non-metal coated metal articles as governed by Limitation Order L-30-a (except for funnels, oil and gasoline cans having a capacity of from 1 to 5 gallons, inclusive, and flexible spout measures).

Glass tableware.
Glass tumblers.
Incandescent photoflash lamps.

Industrial air circulators, new (The term includes any new propeller type fan designed for desk, pedestal, wall bracket, ceiling, or floor mounting, for circulating air within a room or space without the use of ducts, and powered by an electric motor drawing more than 200 watts. Such a fan is sometimes referred to as a "man-cooler" or a "restaurant fan". It does not include propeller type fans designed for exhausting air from inside a building or room to the outside, or for supplying air from the outside to the space within, and normally mounted in a window or over a door or in a wall.)

Kitchenware, heavy duty (except ratings applied by a food processor, which includes any person engaged in the business of prepar-

ing, processing, canning, packing or packaging human or animal foods for distribution. It does not include any person who prepares food for consumption on the premises (such as a hotel, restaurant, hospital or educational institution) or distributes it at retail (such as a grocery or retail meat market)):

- a. Bakery utensils;
- b. Butcher benches;
- c. Butcher blocks;
- d. Canopies or hoods;
- e. Carriers, food;
- f. Carriers, tray;
- g. Coffee mills and grinders;
- h. Counters, cafeteria, lunch and serving;
- i. Counter protectors;
- j. Cutters, french fry;
- k. Cutters, meat, bone and fish;
- l. Dispensers, milk and cream;
- m. Display racks;
- n. Dough dividers;
- o. Dough troughs;
- p. Knife sharpeners and grinders;
- q. Pans, cold;
- r. Potato mashers;
- s. Potato and vegetable parers or peelers;
- t. Racks, bread (bakery);
- u. Racks, dump (bakery);
- v. Racks, pans (bakery);
- w. Sandwich units;
- x. Silcers, meat and bread;
- y. Tables, bakers;
- z. Tables, cooks, chef, salad and work;
- aa. Tables, soiled and clean dish;
- bb. Toaster stands;
- cc. Tray stands;
- dd. Trucks, food;
- ee. Urn stands;

Insulation blowing machines complete (new only), and the following parts thereof:
(a) Internal combustion engines, or electric motors.

(b) Blowers.
(c) Speed reduction units.
Kitchen household and miscellaneous articles governed by Limitation Order L-30-d.

Laboratory instruments and equipment, including parts thereof. (Except ratings assigned by Preference Rating Orders P-43, P-68, P-89 and P-98-b, and ratings assigned pursuant to Order P-56; but those ratings may not be used for items on List A of Order L-144.)

Lawn mowers, including power and gang mowers.

Lockers, wooden, for offices and factories.
Medical, surgical and dental equipment and supplies (except parts for the maintenance or repair of existing equipment) including:

- a. Anaesthesia and oxygen equipment and accessories;
- b. Atomizers;
- c. Clinical thermometers;
- d. Crutches;
- e. Dental consumable supplies;
- f. Dental equipment and appliances (except dental lathes);
- g. Diagnostic instruments and apparatus;
- h. Electric light bulbs for diagnostic instruments;
- i. Hearing aids;
- j. Hospital and medical rubber drug sundries, except surgeons' gloves when acquired in accordance with Order R-1
- k. Hospital enamelware and stainless steel ware;
- l. Hypodermic needles and syringes;
- m. Operating and examining room furniture;
- n. Operating and examining room lights;
- o. Ophthalmic goods.
- p. Orthopedic appliances including splints, belts and trusses;
- q. Physical therapy equipment and supplies;
- r. Sterilizers;
- s. Surgical dressings;

t. Suture needles;
u. Sutures;
v. X-ray equipment and supplies, including X-ray tubes, X-ray valve tubes, X-ray developing hangers, X-ray timers, and similar supplies and accessories.

Medical, surgical and dental instruments.
Medicinal preparations, including vitamins.

Metal bathtubs

Monorail system and additions thereto, except one complete addition valued at less than \$200.00.

Pails and tubs, wooden, including wooden mop pails.

Paper and paperboard and products manufactured therefrom and molded pulp products; excluding carbon paper, tracing paper, reproduction paper, sensitized paper, engineering graph paper, chemically treated paper for engineering use, litmus paper and filter paper and paper tags.

Paper charts for recording instruments.
Pencils, mechanical.
Pencils, wood cased.
Pens, fountain.
Pen holders.
Pen nibs, steel.

Photographic film sensitized, as controlled by Order L-233.

Photographic papers, sensitized, except blueprint, whiteprint, ozalid, photostat, rectigraph and other line reproduction papers. (See Direction 24 to CMP Regulation 5.)

Pins, common and safety.
Printing and publishing:

a. Printed matter including items such as letterheads, envelopes, forms and printed and ruled stationery;

b. Processed printing plates;

c. Type metal, stereotyping metal and electrotype backing-metal;

d. Printing paper, paperboard and binders board;

e. Book cloth;

f. Blankbook and loose-leaf binders, metal parts and units;

g. Mechanical bindings.

Radio transmitters, receivers and transceivers.

Refrigeration and air conditioning systems and parts, except as permitted in Direction 10 to Priorities Regulation 3.

Screen cloth, metal insect.

Scales and balances

Softwood plywood, as defined in Limitation Order L-150-a.

Tire retreading, recapping and repair equipment, including full circle and sectional air bags.

Venetian blinds.
Wooden shelving.

Woodworking machinery, Class I, as defined in Order L-311.

INTERPRETATION 1

Interpretation 1 of Priorities Regulation 3 [Revoked Nov. 17, 1943.]

INTERPRETATION 2

EFFECT OF LISTS A AND B ON UNFILLED ORDERS

The restrictions on the use of ratings for the items on Lists A and B apply to orders for such items which had been placed before the date the item was put on the list but were not yet filled. (Issued Nov. 17, 1943.)

INTERPRETATION 3

FIRE PROTECTIVE EQUIPMENT

The term "Fire protective equipment" on List B of Priorities Regulation 3 includes only the end items listed and does not include materials or parts required for the repair or maintenance of those items.

For example, fire pumps and fire sprinkler systems are listed and therefore may not be obtained on blanket MRO ratings, whereas a

part required to repair a pump or sprinkler system may be obtained on blanket MRO ratings. Similarly, blanket MRO ratings may not be used to extend an existing sprinkler system, but such ratings may be used to repair or replace sprinkler heads which have been opened up by fire or damaged in any other way. (Issued Oct. 21, 1944.)

INTERPRETATION 4

CMPL-224 AND GA-1456 AUTHORIZATION

Reference is made in various War Production Orders to P-19-h orders or to orders in the P-19 series, and in some of these orders the delivery of material or equipment is not allowed, unless the material or equipment is rated under a P-19-h order or an order in the P-19 series. Order P-19-h has in a large measure been superseded by CMPL-224 authorizations and this last form has in turn been superseded by form GA-1456. Consequently any reference to a P-19-h order or to an order in the P-19 series is also reference to an authorization on form CMPL-224 or GA-1456, and if the delivery of an item is permitted under a P-19-h order or an order in the P-19 series it also may be delivered under a CMPL-224 or GA-1456 authorization. (Issued Apr. 23, 1945.)

INTERPRETATION 5

RESTRICTIONS OF OTHER ORDERS; "MASKING" TAPE

(a) *Restrictions of other orders on use of ratings or delivery.* The provisions of paragraph (e) relate only to the items which appear on the lists. When any other order of the War Production Board restricts the use of preference ratings to obtain any product, or restricts delivery of a product in any way, those restrictions are applicable even though that product is not listed in Priorities Regulation 3 (§ 944.23). This rule specifically applies to the items which were on List C before the amendment of August 10, 1943.

(b) *"Masking tape.* Blanket MRO ratings may be used to get industrial pressure sensitive adhesive tape (paper and cloth), also called "masking" tape. This type of tape is not included in "Gummed stay and sealing tape, paper and cloth."

This interpretation is not applicable to adhesive tape backed with cellophane or similar transparent materials derived from cellulose which may not be obtained with blanket MRO ratings. (Issued Dec. 18, 1943.)

INTERPRETATION 6

EFFECT OF PREFERENCE RATING CERTIFICATE REFERRING TO PRODUCT OF A PARTICULAR MANUFACTURER

(a) When a preference rating certificate in assigning a rating to a product describes the product by its trade name or by the manufacturer's name and catalogue number, the rating may ordinarily be used to get the product from any manufacturer if the model actually obtained is substantially identical in size, operation and function with that named in the certificate.

(b) The rule stated in the preceding paragraph is consistent with the statement in paragraph (c) (2) of Priorities Regulation 3 (§ 944.23), that a preference rating may be applied only to the specific quantities and kinds of material authorized. Ordinarily a reference in a preference rating certificate to a particular product of a particular manufacturer is no more than a shorthand way of describing the product. It is safe to assume, unless the certificate clearly states otherwise, that what is being rated is a certain kind and size of product which may be obtained from any manufacturer who makes that kind and size. If it is intended to confine the rating to a particular product of a particular manufacturer, the certificate should say so explicitly (Issued Sept. 8, 1943.)

INTERPRETATION 7

LIMITATIONS ON THE RIGHT TO USE RATINGS TO GET MATERIALS PROCESSED

(a) *What this interpretation covers.* This interpretation explains the limitations on the use of a preference rating assigned to the delivery of a material to get material processed under paragraph (f) (2) (ii) of the regulation.

(b) *Controlled materials.* Preference ratings cannot be used to buy controlled materials (steel, copper, and aluminum in controlled material form) from a producer or warehouse and consequently no rating may be used to get material processed into a controlled material by a producer or warehouse. There is one exception to this general rule which is covered by paragraph (d-1) of CMP Regulation No. 8, which assigns a preference rating to steel producers for use in getting steel processed into a controlled material form.

(c) *Class B products.* Paragraph (g) (3) of CMP Regulation No. 1 prohibits allotments of controlled materials to B product manufacturers except by the War Production Board and, as explained in Interpretation No. 16 to CMP Regulation No. 1, also prohibits a customer from furnishing controlled materials to a B product manufacturer. A special exception to this general rule is provided in Direction 36 to CMP Regulation No. 1. In all cases not covered by the exception, it is improper for a person to furnish controlled materials to a B product manufacturer for processing and consequently no preference rating can be used to get such processing done. In this connection, attention is called to the fact that all products, whether Class A products or Class B products, which are bought for use as maintenance, repair, or operating supplies are treated as though they were Class B products. This is covered by paragraph (k-1) (2) of CMP Regulation No. 1. As pointed out in Interpretation No. 13 to CMP Regulation No. 1, a Class A repair part is handled on a Class B basis and therefore paragraph (g) (3) of the regulation is applicable.

(d) *Ratings not to interfere with authorized controlled material orders.* While a person who has been assigned a rating to get material may use the rating to get the use of the facilities of a controlled materials producer to have the material processed (if the material, when processed, is not a controlled material) rated orders for the use of a controlled materials producer's facilities must not interfere with the acceptance, production, or delivery of orders which he is permitted to fill under paragraph (t) (3) of CMP Regulation No. 1. Attention is called to Interpretation No. 4 to Priorities Regulation No. 1 on this subject. (Issued Nov. 18, 1943.)

INTERPRETATION 8

ELECTRONIC INTERCOMMUNICATING SYSTEMS

List B of Priorities Regulation 3 (§ 944.23) forbids the use of blanket MRO ratings to obtain electronic intercommunicating systems. This restriction applies only to getting systems not yet installed. Therefore, blanket MRO ratings may be used to obtain repair parts and materials for existing intercommunicating systems. Also, these blanket MRO ratings which may be used for minor capital additions, may within prescribed dollar limits be used to add stations to an existing intercommunicating system to bring it to its designed capacity. Thus, if an intercommunicating system is designed for 10 stations, with only 12 stations originally installed, four stations may be added by the use of blanket MRO ratings. However, an expansion beyond the 10 stations, or any enlargement of or an extension beyond the designed capacity, may not be obtained by use of blanket MRO ratings. (Issued Feb. 27, 1945.)

INTERPRETATION 9

CERTAIN MRO RATINGS ASSIGNED UNDER P-93-b ARE NOT BLANKET MRO RATINGS

Paragraph (e) (2) of Priorities Regulation 3 prohibits the use of a "blanket MRO rating" to get any item on List B. See that paragraph for a definition of a "blanket MRO rating". Some of the items which are on List B also appear on Schedule B of Preference Rating Order P-93-b. That schedule provides a way to get a rating for the items which appear on it so that such P-93-b ratings will not be "blanket MRO ratings". These ratings are assigned to specific purchase orders for a specific kind and quantity of the material desired.

Therefore, when a rating assigned pursuant to Schedule B of P-93-b (as evidenced by the symbol MRO-P-3) is applied to a purchase order for any item which is set out on Schedule B of that order that rating is valid, despite the fact the item is also on List B of Priorities Regulation 3.

The order does not require the purchaser to furnish a copy of his approved purchase order to the supplier, and the supplier should give effect to the rating and certification unless he knows or has reason to believe that the purchase order has not been rated as provided in Schedule B of Order P-93-b. (Issued Jan. 24, 1944.)

INTERPRETATION 10

USE OF RATING TO OBTAIN LEASED MACHINERY

(a) A preference rating which has been assigned for the delivery of an item of machinery or equipment may be used to lease the equipment as long as the following conditions are fulfilled:

(1) The lease must be a long-term semi-permanent arrangement where both parties contemplate the comparatively permanent installation of the machine or equipment. For instance, a rating could be used to obtain a machine under lease where the lease was for one year, with provision for renewal at the end of each year, and both parties expected that the lease would be renewed from time to time. However, the rating could not be used to obtain a machine for a month's use.

(2) If the rating is limited by specific dollar amount, it may be used only to lease machinery or equipment whose fair market value is no greater than the amount specified. For example, CMP Regulation No. 5 assigns a rating for the purchase of minor capital additions not exceeding \$500. This rating can be used to lease a machine if its fair market value is not more than \$500.

(b) If the instrument assigning the ratings specifies a lease rather than a purchase, it is not necessary to comply with the above conditions. (Issued April 25, 1944.)

INTERPRETATION 11

IDENTIFICATION OF BLANKET MRO RATINGS

Generally speaking, ratings accompanied by the symbol "MRO" are blanket MRO ratings when they are applied to get an item on List B of Priorities Regulation 3. Therefore, any person receiving an order for a List B item bearing a rating accompanied by the symbol "MRO" must assume that the rating is a blanket MRO rating and give it no effect, unless the person who applied or extended it demonstrates (1) that it is not a blanket MRO rating or (2) that it is an extension of a blanket MRO rating applied on an order which was filled before the item was added to List B. (See paragraph (e) (2) of Priorities Regulation 3 for definition of "blanket MRO rating.")

It should not be assumed, however, that all blanket MRO ratings are accompanied by the "MRO" symbol. Several "P" and "U" Orders assign blanket MRO ratings which are accompanied by symbols other than "MRO." For example, a blanket MRO rating is assigned

by Preference Rating Order P-68, but the symbol accompanying the rating is "S 8".

The question has been raised whether the War Production Board assigns the symbol "MRO" in connection with the assignment of a rating on Form WPB-541 (PD-1A) for a List B item. The answer to this question is "No." Therefore, no rating which was assigned on Form WPB-541 for a List B item could properly be accompanied by the "MRO" symbol. (Issued April 25, 1944.)

INTERPRETATION 12

RECORDS OF EXPORTERS

Paragraph (g) (5) of Priorities Regulation No. 3 requires each person who applies or extends a rating to keep all documents including preference rating orders and certificates which authorize him to apply or extend the rating at his regular place of business. The Foreign Economic Administration and its predecessors, the Board of Economic Warfare and the Office of Economic Warfare, have assigned preference ratings to exporters for export by endorsing appropriate legends upon export licenses. The original of every export license, however, is required by other government regulations to be surrendered to export officials at the time of shipment. Consequently, persons who receive their assignments of preference ratings on export licenses are not in a position to retain the original of the export license and thus are not required to do so by paragraph (g) (5) except only in those cases where other government regulations do not require the surrender to the government of the documents referred to. (Issued April 25, 1944.)

INTERPRETATION 13

TIME LIMIT ON USE OF RATINGS

Preference ratings may not be extended to replace material in inventory after three months from the time delivery was made to the customer. This is the rule of paragraph (h) (1) of the regulation.

When a rating is being applied (except a blanket rating such as one assigned by CMP Regulation 5) or when any rating is extended for some purpose other than to replace inventory, this may be done only within a reasonable time after the rating was received. Generally speaking, more than three months is deemed to be an unreasonable delay in the use of a rating. In a particular case there may be circumstances which make a reasonable time shorter or longer than three months. For example,

(1) A rating assigned to a construction project on a form which says when the rating expires (such as GA-1456 or CMPL 593) may be applied for material going into the project until the expiration date stated, even though more than three months may have elapsed.

(2) A rating assigned in connection with an export license may be applied as long as the license is valid and expires when the license expires or is revoked. (For explanation of this rule see Interpretation 2, Directive 27.)

(3) When a rating is applied to a long term contract (such as the construction of a ship), it may be extended for material needed to fill the contract, even though more than three months have elapsed.

(4) If the purpose for which the rating was assigned no longer exists, the rating may not be applied even though three months have not elapsed.

(5) When a rating is extended by a person to get material to deliver to his customer, or to incorporate in such material, the time within which it may be done will, in general, be controlled by the delivery date on his customer's order.

The fact that a person has not been able to get his rated order accepted by a supplier does not lengthen the time within which he may use his rating. (Issued June 23, 1944.)

INTERPRETATION 14: Revoked Apr. 23, 1945.

INTERPRETATION 15

REFERENCES IN LISTS A AND B TO ORDERS WHICH HAVE BEEN REVOKED

In many items on Lists A and B of Priorities Regulation 3 reference is made to specific WPB orders or schedules for a definition of the specific items covered by the lists. Sometimes the order or schedule referred to is revoked without any change in the listing on List A or B. When one of these orders or schedules is revoked, the listing of the item on List A or B, nevertheless, remains in full force and effect, and the item as listed on List A or B has the same meaning as before the revocation of the order. (Issued July 3, 1945.)

[F. R. Doc. 45-15490; Filed, Aug. 21, 1945; 11:52 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 24, Revocation]

Section 944.45, *Priorities Regulation 24* is hereby revoked. Preference ratings for equipment will hereafter be assigned as described in Priorities Regulation 28. This revocation does not revoke any preference ratings already assigned under this regulation, except to the extent otherwise provided in Priorities Regulation 29.

Issued this 21st day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15489; Filed, Aug. 21, 1945; 11:52 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 28, as Amended Aug. 21, 1945]

RESTRICTED PRIORITIES ASSISTANCE FOR NON-MILITARY PURPOSES

Section 944.49 *Priorities Regulation 28* is amended to read as follows:

§ 944.49 *Priorities Regulation 28—(a) What this regulation does.* As a result of victory over Japan, military procurement has been drastically reduced. The supply of materials for non-military use is expected to increase rapidly so as to be generally adequate to meet all demands. There is consequently no further need for general priorities assistance for essential non-military needs, and WPB has announced in Priorities Regulation 29 the termination of AA ratings and the Controlled Materials Plan at the end of September. It is WPB's general policy not to grant further priorities assistance for non-military purposes. However, WPB is introducing a new non-extendible CC rating for limited priorities assistance, where required in individual cases to assist reconversion or insure the continued fulfillment of essential civilian or export needs. This includes preference ratings for all purposes other than military procurement including production, construction, capital equipment, maintenance, repair, operating supplies, and ex-

port materials. This regulation explains the conditions under which WPB will assign the CC rating.

(b) *Other procedures for assigning ratings replaced.* Preference ratings for non-military purposes will be assigned from now on only in the way and under the conditions described in this regulation which supersedes previous procedures, such as Priorities Regulation 24, Direction 5 to Order L-41, and applications under CMP. Ordinarily, WPB will not assign any further AA ratings except in a few cases, such as textiles, where WPB may continue to assign ratings. In the AA series as explained in directions or amendments to the appropriate WPB orders.

(c) *Applications—(1) How to apply for a CC rating.* Ordinarily, application for a CC rating under this regulation will be made on Form WPB-541A (revised) at your local field office. However, WPB will accept applications on other forms which have formerly been used if adequate information is given with the application. In a few cases, WPB may announce that a form other than WPB-541A (revised) may be provided.

(2) *WPB will return applications now on hand.* Since the surrender of Japan will make priorities assistance generally unnecessary, WPB will not process applications for preference ratings and allotments of controlled materials which have already been filed under old procedures, but will return them without action, except those requiring immediate emergency assistance. If you still need a preference rating, and if you can meet the conditions described in this regulation, you may file again.

(d) *When the WPB may assign a CC rating.* It is the general policy of the WPB not to grant further priorities assistance for non-military purposes. However, the WPB may in limited cases grant CC preference ratings for specific items and quantities of materials or equipment under the following conditions: (1) The applicant is not able, without preference rating assistance, to get the item in the minimum quantity and on the latest date practicable, and (2) the item is required for at least one of the following reasons:

(i) It is a "bottleneck item", a great majority of materials being obtainable without priorities assistance, and it is needed to maintain or begin operations at the minimum economic rate or to complete construction required for reconversion or other essential needs, or

(ii) The item is needed to prevent a delay in the completion on time of military production or construction, or

(iii) The item is needed to sustain or increase production of an item or a service which is in such tight supply that it is a serious threat to the economy, or

(iv) The item is needed to eliminate serious hazard to life, health, or safety of a large number of people, or to maintain essential public or other community services, or

(v) The item is needed in an emergency to remedy an actual or imminent breakdown or to replace an item which has been destroyed by flood, fire, tornado, or other Act of God, or

(vi) Where for other reasons, failure to obtain delivery of the item would result in unreasonable and exceptional hardship.

Special consideration will be given to the needs of small business.

WPB will not grant a CC rating in cases where it would preempt an undue proportion of the limited amounts available. If a material is in such short supply that it is generally hard to obtain, WPB may provide other procedures rather than a rating under this regulation.

(f) *CC ratings for export.* Applications from Canada will be handled on the same basis as United States applications. In the case of other exports, WPB will assign a CC rating to materials where it is demonstrated that a rating is necessary for procurement of materials in this country to prevent serious injury to the minimum essential civilian economics of friendly foreign nations, or to obtain vitally needed supplies from foreign sources, or for other reasons of high public policy. Applications for such rating should be made to the Foreign Economic Administration on the forms prescribed by that agency.

Issued this 21st day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15502; Filed, Aug. 21, 1945;
11:54 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 30, Revocation]

Priorities Regulation 30 is hereby revoked. Victory over Japan has reduced military procurement so that the procedures provided by the regulation are not required.

Issued this 21st day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15488; Filed, Aug. 21, 1945;
11:52 a. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-891]

CRYSTAL SALVAGE CO.

Herman Schmerling, doing business as Crystal Salvage Company, is engaged in the business of selling lumber, second-hand plumbing fixtures, and salvage materials at 1109 Spring Garden Street, Philadelphia, Pennsylvania. Between September 9, 1944 and May 2, 1945 he applied or extended unauthorized preference ratings of AA-3 on four purchase orders for approximately 86,000 board feet of lumber placed with Lewis J. Hoffman, Philadelphia, Pennsylvania, in violation of Priorities Regulation No. 3, and such violations were the result of gross negligence.

These violations have diverted critical materials to uses not authorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.891 *Suspension Order No. S-891.* (a) Unless otherwise specifically authorized in writing by the War Production Board, Herman Schmerling shall not for three months from the effective date of this order apply or extend any preference ratings to obtain any lumber, regardless of the delivery date named in any purchase order to which such ratings may be applied or extended.

(b) Herman Schmerling shall cancel immediately all preference ratings which he has applied or extended on orders for lumber which have not yet been filled, except lumber already in transit for delivery to him on the effective date of this order.

(c) The restrictions and prohibitions contained herein shall apply to Herman Schmerling, doing business as Crystal Salvage Company or otherwise, his successors and assigns, or persons acting on his behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) Nothing contained in this order shall be deemed to relieve Herman Schmerling from any restriction, prohibition, or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(e) This order shall take effect on August 22, 1945.

Issued this 15th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15557; Filed, Aug. 22, 1945;
11:18 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Revocation of Direction 70]

MILITARY CANCELLATIONS OF CONSTRUCTION MACHINERY AND DIESEL ENGINES

Direction 70 to CMP Regulation 1 is hereby revoked. This revocation does not affect any liabilities incurred under this direction.

Issued this 22d day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15539; Filed, Aug. 22, 1945;
11:17 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS [Order L-335, Revocation of Direction 1-a]

SAWMILLS REQUIRED TO PRODUCE BOARDS AND DIMENSIONS

Direction 1-a to Order L-335 is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under this order. The distribution of Douglas fir, White fir, and West coast hemlock remains subject to all other applicable orders and regulations of the War Production Board.

Issued this 22d day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15541; Filed, Aug. 22, 1945;
11:16 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS [Order L-335, Revocation of Direction 2]

SAWMILLS' SHIPMENTS FROM WESTERN PINE REGION

Direction 2 to Order L-335 is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under this order. The distribution of Ponderosa pine, sugar pine, lodgepole pine, Idaho pine and White fir (except Idaho White pine and White fir produced west of the crest of the Cascade mountain range in the States of Oregon and Washington), Western white spruce, and Engelmann spruce, remains subject to all other applicable orders and regulations of the War Production Board.

Issued this 22d day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15542; Filed, Aug. 22, 1945;
11:16 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS [Order L-335, Revocation of Direction 2a]

RESTRICTION ON DELIVERY AND RECEIPTS OF WESTERN PINE LUMBER

Direction 2a to Order L-335 is revoked and all authorizations to receive restricted Western pine are revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under this order. The distribution of Western pine remains subject to all other applicable orders and regulations of the War Production Board.

Issued this 22d day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15543; Filed, Aug. 22, 1945;
11:16 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS [Order L-335, Revocation of Direction 3]

SAWMILLS' SHIPMENTS OF REDWOOD

Direction 3 to Order L-335 is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under this order. The distribution of redwood lumber remains subject to all other applicable orders and regulations of the War Production Board.

Issued this 22d day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15544; Filed, Aug. 22, 1945;
11:16 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Revocation of Direction 4]

SAWMILLS' SHIPMENTS OF SOUTHERN YELLOW PINE

Direction 4 to Order L-335 is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under this order. The distribution of Southern Yellow Pine lumber remains subject to all other applicable orders and regulations of the War Production Board.

Issued this 22d day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15545; Filed, Aug. 22, 1945; 11:16 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[Conservation Order M-328B, Schedule C, as Amended Aug. 18, 1945]

SPECIAL PROGRAM FOR COTTON FABRICS FOR CIVILIAN APPAREL ITEMS

§ 3290.120c *Schedule C to Order M-328B*—(a) *Explanation.* This schedule states the special rules in addition to those set forth in Order M-328B for manufacturers of civilian apparel made of cotton fabric to get an AA-3 preference rating for fabric to make the items listed in this schedule.

(b) *Definitions.* (1) "Fabric", unless otherwise designated, means a woven fabric twelve inches or more in width.

(2) "Cotton fabric" means any fabric containing less than 25% wool by weight, but of which the remaining fibers are 50% or more cotton by weight.

(3) "Cotton item" means an item of which more than 50% of the fabric yardage incorporated in it, exclusive of linings, bindings and trimmings, is cotton fabric.

(4) "Base period manufacturer" and "base period" mean the same as they do in M-328B except that a person who did not manufacture an item listed in this schedule during the base period at or below the maximum price set forth in the schedule shall not be a base period manufacturer.

(c) *Requirements for obtaining priorities assistance.* (1) Three copies of form WPB-3732 must be filed in making application for priorities assistance under this schedule in accordance with the rules stated in paragraph (c) of Order M-328B, except that for the fourth quarter of 1945 applications shall be postmarked not later than September 5, 1945.

(2) A person who has received a rated quota under Order M-388A pursuant to an application on Form WPB-4200 who files Form WPB-3732 (revised) for the third calendar quarter of 1945 by July 21, 1945, may, as soon as he files his application, apply an AA-3 rating for the purchase of cotton fabrics for delivery in

that quarter for incorporation into the cotton items for which application is made. He may do so only for an item he made in the base period and only for 15% of his rated quota under M-388A with respect to any item. Cotton fabrics purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is ultimately granted on form WPB-3732 (revised). If the applicant does not ultimately receive a grant of the entire quantity thus rated, he shall, upon notification of his grant by the War Production Board, immediately cancel orders for any undelivered quantities which are in excess of his grant.

(3) A manufacturer receiving an allocation for an item under this schedule for a quarter must subtract from his rated quota for that item under Order M-388A for that quarter, the total yardage of fabrics for which priorities assistance is granted under this schedule to determine the quantity of fabrics which he may purchase with an AA-4 rating under his M-388A rated quota. If the quantity of fabrics for which an AA-3 rating is authorized for an item under this schedule is in excess of his AA-4 rated quota in M-388A, the manufacturer may not use an AA-4 rating under M-388A for that item.

(4) A manufacturer who files Form WPB-3732 for the fourth quarter of 1945 by September 5, 1945, may, as soon as he files his application, apply an AA-3 rating for the purchase of cotton fabric for delivery in that quarter for incorporation into the items for which application is made. He may do so only for an item he made in the base period at or below the price shown in the preference rating schedule or for which he received an allocation under this schedule, for the third quarter of 1945, and only for one-third of the yardage of fabric consumed in the production of that item during the base period or 50% of the yardage allocated to him by the War Production Board for the third quarter, whichever is smaller. Fabric purchased under this provision shall be deducted by the manufacturer from the total quantity for which priorities assistance is granted pursuant to his application on Form WPB-3732. If the applicant does not receive a grant of the entire quantity thus rated he shall upon notification of his grant by the War Production Board immediately unrate or cancel orders for any undelivered quantities which are in excess of his grant.

Manufacturers who did not produce in the base period the items applied for on Form WPB-3732 at or below the price shown in the preference rating schedule, or who do not receive an allocation for them under this schedule for the third quarter of 1945, may not use any ratings under this schedule for the fourth quarter of 1945, until the War Production Board has assigned them a quota.

(5) *Provisions in case of governmental cut-backs.* At any time during any calendar quarter a manufacturer who has received cancellations or cut-backs on military contracts or orders placed by any agency of the U. S. Government, or who during the quarter has production facilities made available, may apply to the War Production Board on Form WPB-3732 for priorities assistance to manufacture items listed in this schedule. Such applications will be approved to the extent of available materials and the need for additional production of the items applied for.

(d) *General provisions.* (1) Preference ratings assigned under this schedule may be used only to get the particular cotton fabrics shown in the fabric column of the preference rating schedule to make the cotton items specified.

(2) The fabrics must be incorporated into an item produced for sale by the manufacturer at or below the lower of the following two prices:

(i) The price at which the manufacturer is permitted to sell the item under regulations of the Office of Price Administration; or

(ii) The price specified in the Maximum Price column.

(3) If applications are received for fabric in excess of the amount of fabric which can be allocated to any item, allocations will be assigned in proportion to the manufacturer's base period production of that item. However, an equitable portion of available fabrics will be allocated to applicants who did not produce the items in the base period. If the quantity of a specific construction of fabric is requested in excess of the quantity of that construction which is available for allocation under this schedule the War Production Board may substitute other fabrics for the fabrics applied for taking into account the price of such fabrics with relationship to the price at which the manufacturers will sell the finished item.

(4) A manufacturer who is not a base period manufacturer must comply with the provisions of paragraph (c) (6) of M-328B.

(5) The quantity of cotton fabric which may be applied for by a base period manufacturer, for making an item in each price specified in his application, may not be greater than 100% of the linear yardage used by him in the base period for making that item at such specified price; except that a manufacturer may apply for a larger quantity of an item at a lower price if he decreases the quantity of an item applied for at a higher price by the same number of units.

(6) Additional priorities assistance may be given for the procurement of cot-

ton narrow woven selvage edge tape needed for incorporation into the number of units for which priorities assistance is granted. Requests for this additional priorities assistance shall be made on Form WPB-3732 separately for each item for which application is made.

(7) Manufacturers who did not manufacture an item in the base period must produce the item in the size assortments listed opposite each item in the size assortment column. Where normal industry practice appears, the manufacturer should state his proposed sizes in the remarks section of Form WPB-3732

(revised). If his application is granted, he must comply with these size assortments.

Issued this 16th day of August 1945.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

AA-3 PREFERENCE RATING SCHEDULE No. 1—COTTON FABRICS FOR CHILDREN'S APPAREL

NOTE: This schedule applies to the use of preference ratings for the delivery of fabric during the third quarter of 1945.

M-388A Item No.	Description of cotton item	Size range	Size assortment per dozen for other than base period manu- facturers ¹	Maximum price column	Fabric column
A-9	Creepers, Rompers	0 mos-2 yrs	0 mos-1-1½-2 3-3-3-3	\$3.50	Carded poplin, sheeting yarn. Print cloth, day of 66 to 73. Carded broadcloth, 80 day and less. Chambray, 4.50 yard and lighter. Outing flannel.
A-10(a)	Pajamas; 2-piece button-on with or without feet.	1-4	1-2-3-4 3-3-3-3	9.00	Outing flannel.
(b)	Pajamas; 2-piece button-on with extra pants.	1-4	1-2-3-4 3-3-3-3	10.50	Print cloth, day of 66 to 67 (plure). Outing flannel.
A-11(a)	Pajamas; 1-piece with or without feet.	2-8	2-4-6-8 3-3-3-3	9.00	Outing flannel.
(b)	Pajamas; 2-piece jacket style.	2-8	2-4-6-8 3-3-3-3	10.50	Print cloth, day of 66 to 67 (plure). Outing flannel.
A-12	Pajamas; 2-piece jacket style.	8-16	8-10-12-14-16 2-2-3-3-2	12.00	Outing flannel.
A-13	Night gowns; Infants	0-1	Normal Industry Practice	13.50	Print cloth, day of 66 to 67 (plure). Outing flannel.
A-14	Night gowns; Children's	1-4	Normal Industry Practice	4.50	Print cloth, day of 66 to 67 (plure). Outing flannel.
A-15	Night gowns; Children's	2-8	Normal Industry Practice	4.50	Outing flannel.
A-16	Night gowns; Children's	8-16	8-10-12-14-16-2-2-3-3-2	7.50	Outing flannel.
A-17	Kimonos; Infants	0-1	Normal Industry Practice	10.00	Outing flannel.
A-18	Gertrudes; Infants	0-1	Normal Industry Practice	4.50	(Print cloth, day of 66 to 67 (plure). Outing flannel.
A-19	Dresses; Infants	0-1	Even	4.50	Print cloth, day of 66 to 67 (plure). Lawn, 66 x 100. Dimity.
A-20	Dresses; Toddlers	1-3	1-2-3 2-4-6	9.75	Print cloth, day of 62 to 63. Carded broadcloth, more than 80 day. Lawn, 66 x 100. Pique.
A-21	Dresses; Children's	3-6X	3-4-5-6-6X 1-2-3-3-3	10.50	Print cloth, day of 66 to 73. Carded broadcloth, more than 80 day. Print cloth, day of 66 to 73. Carded broadcloth, more than 80 day. Carded poplin, day of 63 to 69. Print cloth, day of 66 to 73.
A-22	Dresses; Girls	7-14	Normal Industry Practice	15.75	Carded broadcloth, more than 80 day. Carded poplin, sheeting yarn. Gingham, 4.00 and heavier.
A-23	Slips; Toddlers	1-3	1-2-3 4-4-4	3.75	Lawn, 66 x 100. Lawn, 70 x 72. Lawn, 66 x 100.
A-24	Slips; Girls, gertrude type	2-14	2-4-6-8-10-12-14 1-2-2-3-2-1-1	9.75	Lawn, 70 x 72. Print cloth, day of 66 to 73. Carded broadcloth, 80 day or less. Lawn, 66 x 100.
A-25	Slips; Girls, shoulder strap style	10-16	10-12-14-16 1-4-4-3	9.75	Lawn, 70 x 72. Print cloth, day of 66 to 73. Carded broadcloth, 80 day or less. Dotted Swiss.
A-27	Blouses; Girls	3-6X	Normal Industry Practice	8.50	Dimity. Carded broadcloth, more than 80 day. Dotted Swiss.
A-28	Blouses; Girls	7-14	7-8-10-12-14 2-2-3-3-2	9.75	Dimity. Print cloth, day of 63 to 73. Carded broadcloth, more than 80 day. Carded poplin, day of 63 to 69.
A-29	Panties; Girls	2-12	2-4-6-8-10-12 1-2-2-3-2-2	3.75	Print cloth, day of 62 to 63. (Print cloth, day of 66 to 73. Carded poplin, day of 63 to 69.
A-30	Overalls and Coveralls (includes crawlers)	1-4	1-2-3-4 3-3-3-3	9.00	Sport denim. Chambray, 4.50 and lighter. Ticking.
A-32	Overalls and Coveralls	2-8	Normal Industry Practice	10.50	Print cloth, day of 66 to 73. Carded poplin, day of 63 to 69. Sport denim.
A-33	Wash suits; Boys; Toddlers	1-4	Normal Industry Practice	9.25	Chambray, 4.50 and lighter. Carded poplin, sheeting yarn. Pique.
A-34 (a)	Wash suits; Boys; short pants	2-8	Normal Industry Practice	10.50	Carded poplin, day of 63 to 69. Print cloth, day of 66 to 73. Carded broadcloth more than 80 day. Carded poplin, day of 63 to 69.
(b)	Wash suits; Boys; long pants	2-8	Normal Industry Practice	10.50	Seersucker. Print cloth, day of 63 to 73. Carded broadcloth, more than 80 day. Carded poplin, day of 63 to 69.
A-35	Shirts and Blouses; Boys	2-10	2-4-6-8-10 2-3-3-3-2	8.50	Seersucker. Print cloth, day of 66 to 73. Carded poplin, sheeting yarn. Carded poplin, day of 63 to 69.
A-36	Shirts; Boys	11-14½	Normal Industry Practice	10.50	Print cloth, day of 66 to 73. Carded broadcloth, more than 80 day. Carded poplin, sheeting yarn. Carded poplin, day of 63 to 69.
A-37	Pants; Boys, short	4-10	Normal Industry Practice	10.50	(Print cloth, day of 66 to 73. Carded poplin, sheeting yarn.
A-38	Pants; Boys, long	4-12	Normal Industry Practice	15.75	(Print cloth, day of 66 to 73. Carded poplin, sheeting yarn.
A-39	Under shorts; Boys	6-16	Normal Industry Practice	3.50	(Print cloth, day of 62 to 63.

¹ First line indicates size. Second line the number of each size.

NOTE: This schedule applies to the use of preference ratings for the delivery of fabric during the fourth quarter of 1945.

¹ First line indicates size. Second line the number of each size.

AA-3 PREFERENCE RATING SCHEDULE NO. 2—COTTON FABRICS FOR CIVILIAN APPAREL—Continued

Item No.	Description of cotton item	Size range	Size assortment per dozen for other than baby period manufacturers ¹	Maximum price column	Fabric column
21	Dresses: Girls'	7 to 14	Normal Industry Practice	16.50	Print cloth, slay of 62 to 73. Print cloth, slay of 73 to 85 (plisse). Carded poplin, 100 slay and less. Carded broadcloth, not more than 100 slay. Carded chambray, lighter than 3.50 yards per pound. Print cloth, slay of 62 to 73. Print cloth, slay of 73 to 85 (plisse). Carded poplin, 100 slay and less. Carded broadcloth, not more than 100 slay. Carded chambray, lighter than 3.50 yards per pound.
22	Dresses: Teen-age Girls'	10 to 16	Normal Industry Practice	18.75	Print cloth, slay of 62 to 73. Print cloth, slay of 73 to 85 (plisse). Carded poplin, 100 slay and less. Carded broadcloth, not more than 100 slay. Carded chambray, lighter than 3.50 yards per pound. Seersucker. Carded broadcloth, not more than 100 slay. 88/30 lawn. 70/72 lawn.
23	Slips: Toddlers'	1 to 3	1-2-3 4-4-4	4.50	Print cloth, slay of 62 to 73. Print cloth, slay of 73 to 85 (plisse). Carded poplin, 100 slay and less. Carded broadcloth, not more than 100 slay. Print cloth, slay of 62 to 73. 88/30 lawn. 70/72 lawn.
24	Slips: Girls' Gertrude type	2 to 14	2-4-6-8-10-12-14 1-2-2-3-2-1-1	6.75	Print cloth, slay of 62 to 73. Carded broadcloth, not more than 100 slay. Print cloth, slay of 62 to 73. 88/30 lawn. 70/72 lawn.
25	Slips: Girls' Shoulder strap	10 to 16	10-12-14-16 1-4-4-3	9.75	Carded broadcloth, not more than 100 slay. 88/30 lawn.
26	Blouses: Children's	2 to 6X	Normal Industry Practice	12.00	Print cloth, slay of 62 to 73. Carded poplin, 100 slay and less. Carded broadcloth, not more than 100 slay. 70/72 lawn. Dimities. Dotted swiss, carded undyed yarn. Print cloth, slay of 62 to 73. Dimities.
27	Blouses: Girls'	7 to 14	7-8-10-12-14 2-2-3-3-2	13.50	Carded poplin, 100 slay and less. Carded broadcloth, not more than 100 slay. 88/30 lawn. 70/72 lawn. Dotted swiss, carded undyed yarns. Carded broadcloth, not more than 100 slay. Print cloth, slay of 62 to 73.
28	Panties: Girls'	2 to 12	2-4-6-8-10-12 1-2-2-3-2-2	4.50	88/30 lawn. 70/72 lawn. 70/72 lawn.
29	Overalls and coveralls	1 to 4 years 2 to 8	1-2-3-4 3-3-3-3 Normal Industry Practice	12.00	Print cloth, slay, of 75 to 85 (plisse). Sport denim. Carded chambray, lighter than 3.50 yards per pound. Twills (other than 3 leaf). Drills.
30	Overalls: Crawler type	6 mos. to 2 years	Normal Industry Practice	10.00	Print cloth, slay of 62 to 73. Print cloth, slay of 75 to 85 (plisse). Carded poplin, 100 slay and less. Carded broadcloth, not more than 100 slay. Carded chambray, lighter than 3.50 yards per pound. Carded poplin, 100 slay and less. Carded broadcloth, not more than 100 slay. Print cloth, slay of 62 to 73. Print cloth, slay of 75 to 85 (plisse). Carded chambray, lighter than 3.50 yards per pound.
31	Wash suits, boys', toddlers'	1 to 4, 2 to 8	Normal Industry Practice	15.75	Print cloth, slay of 62 to 73. Sport denim. Pique. Seersucker. Carded poplin, sheeting yarns. Drills. Twills (other than 3 leaf). Print cloth, slay of 62 to 73. Carded poplin, 100 slay and less. Carded broadcloth, not more than 100 slay. Carded poplin, slay of 89 and higher. Carded broadcloth, 89 slay and higher.
32	Boys' shirts and blouses	2 to 10	2-4-6-8-10 2-2-3-3-2	9.00	Print cloth, slay of 62 to 73. Drills. Twills (other than three leaf). Gabardine. Suitings (cotton; cotton and rayon, and mixtures containing less than 25% wool). Carded poplin, sheeting yarn.
33	Shirts: Boys'	11 to 14½	Normal Industry Practice	12.00	Carded poplin, slay of 89 and higher. Carded broadcloth, 89 slay and higher. Print cloth, slay of 62 to 73. Drills. Twills (other than three leaf). Gabardine. Suitings (cotton; cotton and rayon, and mixtures containing less than 25% wool). Carded poplin, sheeting yarn.
34	Pants: Boys'	4 to 10	Normal Industry Practice	13.50	Carded poplin, slay of 89 and higher. Print cloth, slay of 62 to 73. Sport denim. Carded chambray, lighter than 3.50 yds. lb. Print cloth, slay of 62 to 73. Print cloth, slay of 75 to 85 (plisse). Pique.
35	Undershorts: Boys'	6 to 10	Normal Industry Practice	4.25	Carded broadcloth not more than 100 slay. 88/30 lawn. 70/72 lawn. Carded poplin, 100 slay and less. Carded poplin, 100 slay and less. Carded broadcloth, 100 slay and less. Print cloth, slay of 62 to 73. Carded chambray, lighter than 3.50 yds. lb. Carded poplin, sheeting yarn.
36	Sun suits: Boys' and Girls'	1 to 8	Normal Industry Practice	9.00	Print cloth, slay of 62 to 73. Drills. Twills (other than three leaf). Sport denim. Pique. Seersucker.
37	Wash suits: Boys' (Must be made in full size range of at least 3 to 10).	3 to 12	Normal Industry Practice	17.25	Print cloth, slay of 62 to 73. Drills. Twills (other than three leaf). Sport denim. Pique. Seersucker.

¹ First line indicates size. Second line the number of each size.

[F. R. Doc. 45-16317; Filed, Aug. 18, 1945; 12:22 p. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Revocation of Direction 5]

SAWMILLS' SHIPMENTS OF CYPRESS (RED OR YELLOW) LUMBER

Direction 5 to Order L-335 is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under this order. The distribution of cypress (red or yellow) lumber remains subject to all other applicable orders and regulations of the War Production Board.

Issued this 22d day of August 1945.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15546; Filed, Aug. 22, 1945;
11:18 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Revocation of Direction 8]

DISTRIBUTORS RECEIPTS OF LUMBER ON CERTIFIED UNRATED ORDERS AND ITS SALE ON UNCERTIFIED ORDERS AND CERTIFIED EMERGENCY REPAIR ORDERS

Direction 8 to Order L-335 is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under this order. The distribution of lumber remains subject to all other applicable orders and regulations of the War Production Board.

Issued this 22d day of August 1945:

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15549; Filed, Aug. 22, 1945;
11:17 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Revocation of Direction 11]

ASH SPECIALISTS

Direction 11 to Order L-335 is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under this order. The distribution of ash lumber remains subject to all other applicable orders and regulations of the War Production Board.

Issued this 22d day of August 1945.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15551; Filed, Aug. 22, 1945;
11:17 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Revocation of Direction 12]

SPECIAL AUTHORIZATION NEEDED TO GET LUMBER FOR CERTAIN PRIVATELY FINANCED DWELLING PROJECTS

Direction 12 to Order L-335 is revoked. This revocation does not affect any lia-

bilities incurred for violation of the order or of actions taken by the War Production Board under this order. The distribution of lumber remains subject to all other applicable orders and regulations of the War Production Board.

Issued this 22d day of August 1945.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15552; Filed, Aug. 22, 1945;
11:18 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS

[Order L-335, Revocation of Direction 18]

DISTRIBUTION YARDS WITH COMMON OWNERSHIP

Direction 18 to Order L-335 is revoked. This revocation does not affect any liabilities incurred for violation of the order or of actions taken by the War Production Board under this order. The distribution of lumber remains subject to all other applicable orders and regulations of the War Production Board.

Issued this 22d day of August 1945.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15554; Filed, Aug. 22, 1945;
11:18 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-21, Revocation of Direction 5]

FERROCOLUMBIUM

General Preference Order M-21, Direction 5, is revoked. This revocation does not affect any liabilities incurred for violations of the direction or actions taken by the War Production Board under the direction. The restrictions on the use and delivery of ferrocolumbium remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 21st day of August 1945.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15494; Filed, Aug. 21, 1945;
11:52 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-21, Revocation of Direction 6]

TUNGSTEN WIRE AND MOLYBDENUM WIRE

General Preference Order M-21, Direction 6 is revoked. This revocation does not affect any liabilities incurred for violations of this direction or actions taken by the War Production Board under the direction. The restrictions on the deliveries of tungsten wire and molybdenum wire remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 21st day of August 1945.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15491; Filed, Aug. 21, 1945;
11:52 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-21, Revocation of Direction 7]

CHROMIUM AND CHROME METAL

General Preference Order M-21, Direction 7 is revoked. This revocation does not affect any liabilities incurred for violations of the direction or of actions taken by the War Production Board, under this direction. The use of chromium and chrome metal and deliveries thereof remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 21st day of August 1945.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15492; Filed, Aug. 21, 1945;
11:52 a. m.]

PART 3294—IRON AND STEEL PRODUCTION

[General Preference Order M-21, Revocation of Direction 8]

NICKEL AND NICKEL ALLOY PRODUCTS

General Preference Order M-21, Direction 8 is revoked. This revocation does not affect any liabilities incurred for violations of the direction or of actions taken by the War Production Board under this direction. The sale and delivery of nickel and nickel alloy products remain subject to all other applicable orders and regulations of the War Production Board.

Issued this 21st day of August 1945.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-15493; Filed, Aug. 21, 1945;
11:52 a. m.]

Chapter XI—Office of Price Administration

PART 1305—ADMINISTRATION

[Gen. RO 51, Amdt. 116]

FOOD RATIONING FOR INSTITUTIONAL USERS

A rationale for this amendment will be filed with the Division of the Federal Register.

A new section 12.6 is added to read as follows:

SEC. 12.6 *Petitions for loan of meat-fats points.* (a) A Group II, III, IV or VI institutional user or a person eligible to obtain allotments under Article XXVI, whose net point inventory of foods covered by Revised Ration Order 16 on hand on the date of his application is less than 25% of his July-August 1945 meal service allotment for those foods, may apply

for a loan of points for foods covered by Revised Ration Order 16. The application shall be made to the Board, in writing, and must be filed not later than August 31, 1945. It shall state the name and address of the applicant, that his net point inventory of foods covered by Revised Ration Order 16 on the date of his application is less than 25% of his July-August 1945 meal service allotment for those foods, and the number of points applied for. If the Board finds that the applicant's net point inventory of foods covered by Revised Ration Order 16 on hand on the date of his application is less than 25% of his July-August 1945 meal service allotment for those foods, it may grant him a loan of points for foods covered by Revised Ration Order 16 in an amount not exceeding 25% of his meal service allotment for those foods for the July-August 1945 allotment period.

(b) Any loan granted under this section shall be charged to excess inventory, and shall be repaid in four (4) equal installments beginning with the September-October 1945 allotment period. Such payments shall be in addition to any existing payments that are now being made in reduction of excess inventory charges.

This amendment shall become effective August 22, 1945.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 22d day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15559; Filed, Aug. 22, 1945;
11:46 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 118, Amdt. 3]

SMALL VOLUME MANUFACTURERS RECONVERSION PRICING

A statement of considerations accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Order No. 118 is amended in the following respects:

1. In Appendix D the following products and profit factors are added to List 1:

	Factor (percent)
Domestic stoves (coal and wood, oil-gas combinations, gas cooking and gas heating).....	3.7
Domestic washing machines and ironers.....	2.6
Metal household furniture.....	2.4
Vacuum cleaners.....	4.6

2. In Appendix D the following products and profit factors are added to List 2:

	Factor (percent)
Miscellaneous hardware (excluding products under MPR 591).....	5.1
Paper-mill, pulp-mill, and paper-products machinery.....	4.2
Printing-trades machinery and equipment.....	3.0
Textile machinery.....	6.0

This amendment shall become effective August 21, 1945.

Issued this 21st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15518; Filed, Aug. 21, 1945;
4:43 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 118, Amdt. 3]

INDIVIDUAL ADJUSTMENTS FOR RECONVERTING MANUFACTURERS

A statement of considerations accompanying this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Supplementary Order No. 119 is amended in the following respects:

1. In Appendix C the following products and profit factors are added to List 1:

	Factors (percent)
Domestic stoves (coal and wood, oil gas combinations, gas cooking and gas heating).....	3.7
Domestic washing machines and ironers.....	2.6
Metal household furniture.....	2.4
Vacuum cleaners.....	4.6

2. In Appendix C the following products and profit factors are added to List 2:

	Factors (percent)
Miscellaneous hardware (excluding products under MPR 591).....	5.1
Paper-mill, pulp-mill, and paper-products machinery.....	4.2
Printing-trades machinery and equipment.....	3.0
Textile machinery.....	6.0

This amendment becomes effective August 21, 1945.

Issued this 21st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15519; Filed, Aug. 21, 1945;
4:43 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL COMMODITIES

[RMFR 471, Amdt. 9]

LEGUME AND GRASS SEEDS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 471 is amended in the following respects:

1. A new subparagraph (7) is added to section 1 (b) to read as follows:

(7) State Certified Emerald sweet-clover seed of the 1945 crop.

2. Section 5 is amended to read as follows:

Sec. 5. *Licensing.* The provisions of Licensing Order No. 1, licensing persons who make sales under price control, are applicable to sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or

regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended. However, no license is required of, or granted to, any producer selling legume and grass seeds produced by him.

3. A new paragraph is added at the end of section 6 (c) to read as follows:

The provisions of this paragraph (c) shall not apply to bids on or offers to purchase or purchases of thresher-run or rough cleaned red clover, sweetclover and timothy seeds.

4. Subparagraphs (1) and (2) of section 12 (c) are amended to read as follows:

(1) Except as provided in subparagraph (2) of this section, your maximum price shall be your supplier's maximum price on the sale and delivery to you, plus your transportation cost, and plus the applicable mark-up shown below:

Kind of seed:	Maximum mark-up per 100 pounds
Alfalfa:	
Northern and Central.....	\$3.90
Southern (except when grown, sold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel).....	3.80
Southern (when grown, sold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel).....	3.40
Southern (when grown in the State of Arizona or in the State of California south of the 40th parallel and when sold and delivered for planting outside the State of Arizona or the State of California south of the 40th parallel with base price for Southern Alfalfa seed set forth under section 13 Appendix (a) (3))....	1.90
Clover:	
Medium Red, Mammoth Red and Alamo.....	3.80
Sweet.....	2.25
Timothy.....	1.40

(2) If you are a wholesaler, who maintains and operates a retail store or a retail mail order house in connection with which you publish a seed catalogue, and if you sell to planters, your maximum price to planters shall be your supplier's maximum price on the sale and delivery to you, plus your transportation cost, and plus the applicable mark-up shown below:

Kind of seed:	Maximum mark-up per 100 pounds
Alfalfa:	
Northern and Central.....	\$3.40
Southern (except when grown, sold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel).....	8.90
Southern (when grown, sold and delivered for planting in the State of Arizona or in the State of California south of the 40th parallel).....	6.80
Southern (when grown in the State of Arizona or in the State of California south of the 40th parallel and when sold and delivered for planting outside the State of Arizona or the State of California south of the 40th parallel with base price for Southern Alfalfa seed set forth under section 13 Appendix (a) (3))....	6.80

Kind of seed—Con.	Maximum mark-up per 100 pounds
Clover:	
Medium Red, Mammoth Red and Alsike	\$7.65
Sweet	5.25
Timothy	3.60

5. Paragraph (g) (2) (ii) of the appendix is amended to read as follows:

(ii) Sweetclover seed: Evergreen, Madrid, Spanish Willamette, and, beginning with seed of the 1946 crop, Emerald.

This amendment shall become effective August 22, 1945.

Issued this 22d day of August 1945.

CHESTER BOWLES,
Administrator.

Approved: August 18, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-15560; Filed, Aug. 22, 1945;
11:46 a. m.]

Chapter XVIII—Office of Economic Stabilization

[Directive 60, Amdt. 1]

PART 4004—PRICE STABILIZATION; MAXIMUM PRICES

1945 CANNED VEGETABLES

The Secretary of Agriculture and the Price Administrator having submitted to me information with respect to the need for an increase (1) in the amount of the maximum price for sales to government procurement agencies, and (2) in the amount of the subsidy payment on other sales for certain canned tomatoes of the 1945 pack, I hereby find that the measures hereinafter authorized and directed to be taken by the Department of Agriculture and the Office of Price Administration will effectuate the purpose of the Emergency Price Control Act of 1942, as amended, the Stabilization Act of 1942, as amended, and Executive Orders Nos. 9250, 9328 and 9599.

Directive No. 60 of the Office of Economic Stabilization, issued and effective June 27, 1945 (10 F.R. 8071), is hereby amended by adding a new paragraph (3) to read as follows:

(3) With respect to canned tomatoes only, the Office of Price Administration and the Department of Agriculture are further authorized and directed to increase the maximum prices fixed under (1) (c) and subsidy payments under (2) (a) by an amount equivalent to 6 cents per dozen No. 2 cans with appropriate adjustments for other container sizes, such adjustments to become effective as of July 5, 1945.

(E.O. 9250 and E.O. 9328, 3 CFR, Cum. Supp.)

Issued and effective this 20th day of August 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-15529; Filed, Aug. 22, 1945;
9:58 a. m.]

[Directive 74]

PART 4004—PRICE STABILIZATION; MAXIMUM PRICES

MAXIMUM RAW MATERIAL COSTS; FROZEN VEGETABLES, 1945

Correction

In Schedule A to Federal Register Document 45-14802, appearing on page 10030 of the issue for Tuesday, August 14, 1945, Commodity No. 2 should read as follows:

Commodity	State or area	Dollars per ton
2. Beans, fresh lima other than Ford- hook type (see Item 7 for Ford- hooks).	New Jersey Arkansas, Washington, Ore- gon, California, and Idaho other than southeastern, ¹ New York, Pennsylvania, Delaware, Maryland, Vir- ginia's Eastern Shore, ² Utah, Wyoming, and Idaho southeast. ³ All other States and areas...	\$128 115 100 95

[Directive 31, Amdt. 2]

PART 4003—SUPPORT PRICES; SUBSIDIES

LIVESTOCK SLAUGHTER PAYMENTS

Directive No. 31, "Livestock Slaughter Payments" (10 F.R. 5650) is amended in the following respects:

Paragraph (a) of section 2 is amended to read as follows:

SEC. 2. *Establishment of slaughter base percentages for subsidy payments.* (a) The Office of Price Administration is authorized to establish, publish, and certify to the Reconstruction Finance Corporation, from time to time and with respect to any class or species of livestock, percentages of the total slaughter of livestock during the base period of 1944 upon which livestock slaughter payments may be made during corresponding quota periods of 1945 to any slaughterer or owner of livestock: *Provided*, That no such limitation shall be applicable with respect to (1) any slaughterer whose establishment is operated under Federal inspection, or (2) any slaughterer who has been certified under the provisions of War Food Order No. 139, as amended, either as the owner or operator of a slaughtering plant or as the owner of livestock which is slaughtered on a custom basis.

(E.O. 9250 and E.O. 9328, Pub. Law 108, 79th Cong.)

Issued this 18th day of August 1945.

Effective July 1, 1945.

WILLIAM H. DAVIS,
Economic Stabilization Director.

[F. R. Doc. 45-15537; Filed, Aug. 22, 1945;
11:13 a. m.]

Chapter XXIII—Surplus Property Board

[SPB Reg. 4, Amdt. 2]

PART 8304—DISPOSAL OF SURPLUS AERONAUTICAL PROPERTY TO EDUCATIONAL INSTITUTIONS AND STATE OR LOCAL GOVERNMENTS FOR NON-FLIGHT USE

MISCELLANEOUS AMENDMENTS

Surplus Property Board Regulation No. 4, May 4, 1945, entitled, "Disposal of Sur-

plus Aeronautical Property to Educational Institutions for Non-Flight Use" (10 F.R. 5460, 6785) is hereby amended in the following respects:

1. The title is amended to read "Disposal of Surplus Aeronautical Property to Educational Institutions and State or Local Governments for Non-Flight Use."

2. There is added a new paragraph (1) to § 8304.1 to read as follows:

(1) "State or local government" means any State, territory or possession of the United States, the District of Columbia, and any political subdivision or instrumentality thereof.

3. The last sentence of § 8304.2 is amended to read as follows: "The Board further finds that the disposal of such surplus property to educational institutions and to State or local governments for school, classroom, or other educational use including research, experimentation and memorial uses, as provided herein, will result in substantial benefit to the United States by stimulating aeronautical interest and knowledge and thus promoting national defense, employment, production and trade."

4. The last sentence of § 8304.3 is amended to read as follows: "Disposal agencies for aeronautical property shall continuously survey all aeronautical property listed on Exhibit A which is declared surplus to them and shall give wide public notice to educational institutions and to State or local governments of such property as is determined to be commercially unsaleable in accordance with such orders."

5. Section 8304.4 is amended to read as follows:

§ 8304.4 *Disposals to educational institutions and to State or local governments.* Property listed in Exhibit A which is determined to be commercially unsaleable pursuant to § 8304.3 and orders hereunder shall be fairly and equitably disposed of by the disposal agencies to educational institutions and to State or local governments in accordance with the following rules:

(a) Charges for such property shall be the disposal cost as listed on Exhibit A opposite each type of such property.

(b) Such property shall be prepared for shipment by the agency in actual possession and delivered to the buyer at the location of the property or to a carrier at a place agreed upon with the buyer. Shipment shall be on commercial bill of lading, charges "collect."

(c) The buyer shall file with the disposal agency a certificate under oath duly notarized that such buyer is an educational institution as defined in § 8304.1 (e) or a State or local government as defined in § 8304.1 (1), that the property is being acquired to be used only for non-flight instructional, research, experimental, or memorial purposes, that it will not be used for any flight purposes, and that the property will be disposed of only as scrap and then only after it shall have been rendered completely unfit and useless except for its basic material content.

6. The first sentence of § 8304.6 is amended to read as follows: "Disposal

agencies shall submit monthly reports to the Board not later than the 10th day of each month covering the disposals of aeronautical property during the preceding month to educational institutions and to State or local governments as provided in § 8304.4."

This amendment shall become effective August 24, 1945.

SURPLUS PROPERTY BOARD,
By W. STUART STAMINGTON,
Chairman.

AUGUST 10, 1945.

[F. R. Doc. 45-15579; Filed, Aug. 22, 1945;
11:56 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 22—MUSTERING-OUT PAYMENTS TO MILITARY PERSONNEL IN THE UNITED STATES NAVY, MARINE CORPS, AND COAST GUARD

MISCELLANEOUS AMENDMENTS

Pursuant to the authority vested in the Secretary of the Navy by the act of February 3, 1944 (58 Stat. 10) as amended by the act of December 16, 1944 (58 Stat. 812), the regulations prescribed to govern mustering-out payments to military personnel in the United States Navy, Marine Corps and Coast Guard (10 F.R. 2188) are amended to read as follows:

Add a new subparagraph (3) to § 22.1 (f) as follows:

§ 22.1 *Statutory provisions.* * * *
(f) *Exemption from taxation and claims of creditors; issuance of regulations.* * * *

(3) The Secretary of the Navy, or such subordinate officer as he may designate, is authorized to make direct payment to survivors over seventeen years of age, and to select a proper person or persons to whom mustering-out payments may be made for the use and benefit of former active members of the armed forces, or survivors thereof, as defined by § 22.1 (e), without the necessity of appointment by judicial proceedings of a legal representative of any such former member or such survivors when, in the opinion of the Secretary or his designee, the interests of persons under seventeen years of age so justify, or where the former active member or his survivors is suffering from a mental disability sufficient to make direct payment not in the best interests of such person or persons. Payments made under the provisions of this subparagraph shall constitute a complete discharge of the obligation of the United States as provided in the act of February 3, 1944, as amended; and the selection of a proper person or persons, as provided herein, and the correctness of the amount due and paid to such person or persons shall have the same finality as that accorded decisions made pursuant to § 22.1 (f) (2): *Provided*, That the provisions of this subparagraph shall not apply where a legal guardian or committee has been judicially appointed, except

as to any payments made hereunder prior to the receipt of notice of appointment.

Amend subparagraph (5) of § 22.3 (a) and add new subparagraphs (6), (7) and (8) to read as follows:

§ 22.3 *Payments to survivors.*—(a) *General.* * * *

(5) *To whom payable in cases of minority.* Where a survivor, otherwise entitled to mustering-out payment, is a minor, payment will be made in accordance with the following rules:

(i) Where a legal guardian has been judicially appointed and notice of such appointment has been received prior to the issuance of payment, payment will be made only to the legal guardian, as such.

(ii) Where a survivor is seventeen years of age and over and no notice has been received that a legal guardian has been judicially appointed, payment will be made directly to the survivor.

(iii) Where a survivor is under seventeen years of age and no notice is received that a legal guardian has been judicially appointed, payment for the use and benefit of the survivor will be made to a person within the following classes: parent, adult brother, adult sister, other person who is determined, after appropriate investigation, to be qualified to act in the best interests of the survivor. Payment will be made in the order of precedence set forth unless it is considered that compliance therewith would not serve the best interests of the survivor.

(6) *To whom payable in cases of mental incompetency.* Where a survivor, otherwise entitled to mustering-out payment is prevented from receiving payment because of mental incompetency, payment will be made in accordance with the following rules:

(i) Where a legal guardian or committee of the survivor has been judicially appointed and notice of such appointment has been received prior to the issuance of payment, payment will be made only to the legal guardian, as such.

(ii) Where no notice has been received that a legal guardian has been judicially appointed, payment for the use and benefit of the survivor will be made to a person within the following classes: spouse, parent, adult child, other person who is considered, after appropriate investigation, qualified to act in the best interests of the survivor. Payment will be made in the order of precedence set forth herein unless compliance therewith would not serve the best interests of the survivor.

(7) *Evidence required for payment.* No payment will be made to a legally appointed guardian or committee of a survivor without submission of a certified copy of the instrument of appointment. Payments will not be made to a person selected under § 22.3 (a) (5) (iii) or § 22.3 (a) (6) (ii) without the submission of a written and signed agreement executed by the person selected to receive the payments for the use and benefit of the survivor containing a statement that the proceeds of payment will

be used for the exclusive benefit of the survivor.

(8) *Method of payment.* All payments to survivors or to persons on their behalf will be made by checks. In the event that payments are made to a person other than the survivor, the check will be drawn to the order of (*selected payee*), and shall include in the lower left hand corner under "Object" the phraseology "for the use and benefit of (*name of survivor*)."

Amend paragraphs (b) and (c) of § 22.4 to read as follows:

§ 22.4 *Payments on behalf of persons discharged on account of mental disability.* * * *

(b) *To whom payable.* Mustering-out payments on behalf of personnel discharged on account of mental disability will be made in accordance with the following rules:

(1) Where a legal guardian or committee of the veteran has been judicially appointed and notice of such appointment is received prior to the issuance of payment, payment will be made only to the legal guardian, as such.

(2) Where no notice has been received that a legal guardian has been judicially appointed, payment may be made directly to the veteran if a written, dated, and signed statement by a registered physician is furnished to the effect that the veteran is, in the opinion of the examining physician, mentally capable to handle his own affairs. (The term "registered, practicing physician" includes staff physicians at Government hospitals.)

(3) Where no notice has been received that a legal guardian has been judicially appointed and where the veteran cannot receive payment directly under § 22.4 (b) (2), payment is authorized to be made in the following manner:

(i) Where the veteran is hospitalized in a Veterans' Administration facility, or is temporarily absent therefrom for convalescent purposes, payment for the use and benefit of the veteran will be made to the manager of the facility unless after appropriate investigation it is determined that some other person is better qualified to act in the best interests of the veteran. If a facility manager applies for payment on behalf of a mentally disabled veteran under his jurisdiction but, prior to the receipt of any one of the checks covering complete payment, the veteran is discharged from the facility, checks received after the veteran's departure will be returned to the Field Branch, Bureau of Supplies and Accounts (Mustering-Out Payment Division), Cleveland 15, Ohio, in the case of Naval and Coast Guard personnel or to the Paymaster General of the Marine Corps, Washington 25, D. C., in the case of Marine Corps personnel, accompanied by so much of the following information as is pertinent to the case of the individual concerned:

(a) A statement concerning the mental condition of the veteran at the time of discharge from the facility, i. e., whether considered mentally competent to handle his own affairs.

(b) The name and address of the person in whose custody the veteran was discharged from the facility.

(c) The address of the veteran if discharged into his own custody.

(ii) Where the veteran has been released to the custody of a person other than a manager of a Veterans' Administration facility, payment for the use and benefit of the veteran will be made to a person within the following classes; spouse, parent, adult child, other person who is considered, after appropriate investigation, qualified to act in the best interests of the veteran. Payment will be made in the order of precedence set forth herein unless compliance therewith would not serve in the best interest of the veteran.

(4) All payments will be made by checks. In the event that payment is to be made to a person other than the veteran, the check will be drawn to the order of (selected payee), and shall include in the lower left hand corner under "Object" the phraseology "for the use and benefit of (name of veteran)."

(c) *Evidence required for payment.*

(1) No mustering-out payments shall be made to the persons named in § 22.4 (b) without:

(i) The discharge certificate, certificate in lieu of a lost discharge certificate, or statement of service issued in the name of the person on whose account payment is to be made, or in the case of commissioned personnel the original orders of separation from active Naval service, and,

(ii) Where payment is to be made to the legally appointed guardian or committee of the veteran, a certified copy of the instrument of appointment.

(iii) Where payment is to be made to the discharged veteran, a physician's statement as prescribed in § 22.4 (b) (2).

(iv) Where payment is to be made under the provisions of § 22.4 (b) (3) a written and signed statement executed by the person selected to receive the payment for the use and benefit of the veteran containing a statement that the proceeds of the payment will be used for the exclusive benefit of the veteran. Additional and/or substitute evidence is authorized and may be required in appropriate cases in the discretion of the Chief of Naval Personnel, Commandant of the Coast Guard, or Commandant of the Marine Corps, as appropriate.

Amend paragraph (f) of § 22.5 to read as follows:

§ 22.5 *Payments to veterans discharged or released from active service on or after February 15, 1944.* * * *

(f) *Procedure with respect to veterans who become mentally incompetent.* (1) In cases in which, after receipt by the veteran of the initial payment, the second and/or third installments cannot be paid to him due to his mental incompetency, payment of the remaining installments due will be made in accordance with the following rules:

(i) Where legal guardian or committee of the veteran has been judicially appointed and notice of such appointment

is received prior to the issuance of payment, payment will be made only to the legal guardian, as such.

(ii) Where no notice has been received that a legal guardian has been judicially appointed, payment is authorized to be made in accordance with the manner set forth in § 22.4 (b) (3).

(iii) All payments will be made by checks. In the event that payment is to be made to a person other than the veteran, the check will be drawn to the order of the (selected payee), and shall include in the lower left hand corner under "Object" the phraseology "for the use and benefit of (name of veteran)."

(2) Application for the installments due may be filed on behalf of the veteran and must be submitted to the Bureau of Naval Personnel, Washington 25, D. C., Headquarters, Coast Guard, Washington, D. C., or Director of Personnel, Marine Corps, Washington, D. C., as appropriate. Application must be accompanied by the original discharge certificate or orders of release from active duty, and if applicable, a certified copy of the instrument appointing the guardian or committee. (See also § 22.4 with respect to payment on behalf of persons discharged on account of mental disability.)

Amend paragraph (c) of § 22.6 to read as follows:

§ 22.6 *Payments to veterans discharged or relieved from active service prior to February 15, 1944.* * * *

(c) *Procedure with respect to mentally incompetent veterans.* (1) Payment on behalf of mentally incompetent veterans discharged or released from active service under honorable conditions on or after December 7, 1941, and prior to February 15, 1944, will be made in accordance with the following rules:

(i) Where a legal guardian or committee of the veteran has been appointed judicially and notice of such appointment is received prior to the issuance of payment, payment will be made only to the legal guardian, as such.

(ii) Where no notice has been received that a legal guardian has been judicially appointed, payment is authorized to be made in accordance with the manner set forth in § 22.4 (b) (3).

(iii) All payments will be made by checks. In the event that payment is to be made to a person other than the veteran, the check will be drawn to the order of (selected payee), and shall include in the lower left hand corner under "Object" the phraseology "for the use and benefit of (name of veteran)."

(2) Application, containing the information indicated in § 22.6 (b), may be filed on behalf of the veteran and must be submitted to the Bureau of Naval Personnel, Washington 25, D. C., Headquarters, Coast Guard, Washington, D. C., or Director of Personnel, Marine Corps, Washington, D. C., as appropriate. The application must be accompanied by the original discharge certificate or orders of release from active duty and if applicable, a certified copy of the instrument appointing the guardian or committee. (See also § 22.4 with respect

to payment on behalf of persons discharged on account of mental disability.)

(58 Stat. 10 as amended by 58 Stat. 812)

JAMES FORRESTAL,
Secretary of the Navy.

[F. R. Doc. 45-15528; Filed, Aug. 23, 1945;
9:58 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard: Inspection and Navigation

Subchapter D—Tank Vessels

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in me by R.S. 4405 and 4417a, as amended (46 U.S.C. 375, 391a), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), I find that an emergency exists and the following amendments to the Tank Vessel Regulations are necessary in the conduct of the war and shall be made effective as of August 21, 1945.

PART 33—LIFESAVING APPLIANCES

EQUIPMENT; LIFEBOATS, LIFE RAFTS, AND BUOYANT APPARATUS

Section 33.3-5 (k) is amended to read as follows:

§ 33.3-5 *Tank ships, life raft equipment, ocean, coastwise—T/OC.* * * *

(k) *Water light.* One automatic electric water light of an approved type. See §§ 37.9-1 and 37.9-2 of this subchapter.

Section 33.3-6 (i) is amended to read as follows:

§ 33.3-6 *Life raft equipment—T/L.* * * *

(i) *Water light.* One automatic electric water light of an approved type. See §§ 37.9-1 and 37.9-2 of this subchapter.

Section 33.3-8 (c) is amended to read as follows:

§ 33.3-8 *Equipment for buoyant apparatus—TB/ALL.* * * *

(c) *Water light.* One automatic electric water light of an approved type. See §§ 37.9-1 and 37.9-2 of this subchapter.

Section 33.3-8 is amended by changing the last undesignated paragraph to read as follows:

§ 33.3-8 *Equipment for buoyant apparatus—TB/ALL.* * * *

Buoyant apparatus designed to accommodate less than 25 persons shall not be required to be equipped with an automatic electric water light. Such apparatus weighing less than 75 pounds shall not be required to have a painter for lowering.

LIFE BUOYS

Section 33.7-1 *Number required; tank ships—T/ALL* is amended by changing the phrase "water lights" to "automatic water lights of an approved type."

Effective October 1, 1945, § 33.7-4 *Attachment of water lights—TB/ALL* is deleted.

PART 34—FIRE FIGHTING EQUIPMENT

FIRE PUMPS, MAINS, HYDRANTS, AND HOSE

Section 34.2-6 is amended by the addition of a new paragraph (e) reading as follows:

§ 34.2-6 *Fire hydrants—T/ALL.* * * *

(e) The arrangement of the fire hydrants shall be limited to any position from the horizontal to the vertical pointing downward, so that the hose will lead downward or horizontally, in order to minimize the possibility of kinking. In no case will a hydrant arranged in a vertical position with the outlet pointing upward be accepted.

PART 37—SPECIFICATIONS FOR LIFESAVING APPLIANCES

ELECTRIC WATER LIGHTS

Part 37 is amended by changing the center heading immediately following § 37.8-10 "Self-Igniting Water Lights" to "Electric Water Lights."

Section 37.9-1 is amended to read as follows:

§ 37.9-1 *Automatic electric water lights—TB/ALL.* The automatic electric water light shall comply with the U. S. Coast Guard Specification for Lights (Water); Electric, Floating, Automatic (with Bracket for Mounting):¹ No battery cell shall remain in the water light after seventeen (17) months beyond the date of manufacture appearing on the cell or its jacket. Approved electric water lights not conforming to the above-referred-to specification which are on board vessels prior to October 1, 1945, may be continued in service provided they are in good and serviceable condition; water lights replaced on and after October 1, 1945, shall comply with the requirements contained in this regulation.

Section 37.9-2 is amended to read as follows:

§ 37.9-2 *Removal of calcium water lights—TB/ALL.* On and after October 1, 1945, all calcium type self-igniting water lights shall be removed and replaced with automatic electric water lights of an approved type.

Section 37.9-3 *Lanyard—TB/ALL* is deleted.

Section 37.9-4 *Chemical—TB/ALL* is deleted.

Section 37.9-5 *Marking—TB/ALL* is deleted.

Section 37.9-6 *Approval—TB/ALL* is deleted.

Section 37.9-7 *Life raft water lights—TB/ALL* is deleted.

Dated: August 21, 1945.

L. T. CHALKER,
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 45-15525; Filed, Aug. 22, 1945;
8:53 a. m.]

¹ A copy of the specifications is on file in the office of the Federal Register, and copies may be obtained upon request from the Commandant (ENTAF), United States Coast Guard Headquarters, Washington 25, D. C., or any District Coast Guard Officer.

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in me by R.S. 4405, 4426, 4429, 4433, 4471, 4488, as amended, 49 Stat. 1544, 54 Stat. 1028 (46 U.S.C. 375, 404, 407, 411, 464, 481, 367, 463a), and Executive Order 9083, dated February 28, 1942 (3 CFR, Cum. Supp.), the following amendments to the regulations are prescribed:

Subchapter F—Marine Engineering

PART 55—PIPING SYSTEMS

Section 55.19-3 is amended by deleting paragraph (o) and (p) and substituting the following therefor:

§ 55.19-3 *Detail requirements.* * * *

(o) Cast iron valves may have bolted bonnets or union bonnets. If of the latter type, the union bonnet ring shall be made of steel, bronze, or malleable iron. Cast iron valves with screwed-in or screwed-over bonnets are not permitted for any service.

(p) Screw-down valves for Class I piping shall be of the bolted or union bonnet type, or of a type where positive means is provided to prevent the bonnet from being unscrewed from the body when the stem is rotated to lift the disc.

PART 56—FUSION WELDING

RULES FOR CONSTRUCTION OF FUSION WELDED DRUMS OR SHELLS OF MARINE BOILERS AND PRESSURE VESSELS

Section 56.20-6 (a) is amended to read as follows:

§ 56.20-6 *Class II.* (a) All vessels other than boilers operating at pressures of 30 pounds per square inch above atmosphere or over, covered by this part may be included in this class, excepting those containing lethal gases or lethal liquids and/or those containing liquids operating at a temperature of 300° F., or above. The maximum pressure at which any vessel in this class may be operated is 600 pounds per square inch, and/or the maximum temperature is 700° F. The plate thickness of the shell or heads shall not exceed 1½ inches. This pressure limitation does not apply to vessels operated under hydraulic pressure at atmospheric temperature.

Subchapter G—Ocean and Coastwise: General Rules and Regulations

PART 61—FIRE APPARATUS; FIRE PREVENTION

Section 61.5 (b) (4) is amended to read as follows:

§ 61.5 *Steam fire pumps or their equivalent.* * * *

(b) *Fire pumps on steam vessels contracted for on or after July 1, 1935.* * * *

(4) Outlet openings shall have a diameter of not less than 1½" and shall be fitted with suitable hose connections and spanners. The arrangement of the fire hydrant shall be limited to any position from the horizontal to the vertical pointing downward, so that the hose will lead downward or horizontally, in order to minimize the possibility of kinking. In no case will a hydrant ar-

ranged in a vertical position with the outlet pointing upward be accepted.

Section 61.12a is amended to read as follows:

§ 61.12a *Pumps on motor vessels.* Motor vessels of fifty gross tons and over carrying passengers for hire shall be equipped with pumps for throwing water according to the tonnage as described in § 61.5 for steam vessels and equipped as prescribed in §§ 61.5 to 61.7, inclusive, as they now exist or may hereafter be amended.

Subchapter H—Great Lakes: General Rules and Regulations

PART 77—FIRE APPARATUS; FIRE PREVENTION

Section 77.5 (b) (4) is amended to read as follows:

§ 77.5 *Steam fire pumps or their equivalent.* (See § 61.5 of this chapter, as amended, which is identical with this section.)

Section 77.12a is amended to read as follows:

§ 77.12a *Pumps on motor vessels.* (See § 61.12a of this chapter, as amended, which is identical with this section.)

Subchapter I—Bays, Sounds, and Lakes Other Than the Great Lakes: General Rules and Regulations

PART 95—FIRE APPARATUS; FIRE PREVENTION

Section 95.5 (b) (4) is amended to read as follows:

§ 95.5 *Steam fire pumps or their equivalent.* (See § 61.5 of this chapter, as amended, which is identical with this section.)

Section 95.12a is amended to read as follows:

§ 95.12a *Pumps on motor vessels.* (See § 61.12a of this chapter, as amended, which is identical with this section.)

Subchapter J—Rivers: General Rules and Regulations

PART 113—BOATS, RAFTS, BULKHEADS, AND LIFESAVING APPLIANCES

Section 113.49 *Vessel's name on equipment* is deleted.

PART 114—FIRE APPARATUS; FIRE PREVENTION

Section 114.7 (b) (4) is amended to read as follows:

§ 114.7 *Steam fire pumps or their equivalent.* (See § 61.5 of this chapter, as amended, which is identical with this section.)

Section 114.14a is amended to read as follows:

§ 114.14a *Pumps on motor vessels.* (See § 61.12a of this chapter, as amended, which is identical with this section.)

Dated: August 21, 1945.

L. T. CHALKER,
Rear Admiral, U. S. C. G.,
Acting Commandant.

[F. R. Doc. 45-15524; Filed, Aug. 22, 1945;
8:53 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order ODT 47, Revocation]

PART 500—CONSERVATION OF RAIL EQUIPMENT

PASSENGER TRAIN OPERATIONS RESTRICTED

Pursuant to Executive Order 8989, as amended, General Order ODT 47, as amended, §§ 500.50 to 500.54 (10 F.R. 525, 2409), is hereby revoked effective August 21, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183)

Issued at Washington, D. C., this 21st day of August, 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-15531; Filed, Aug. 22, 1945;
10:46 a. m.]

Chapter II—Office of Defense Transportation

[Administrative Order ODT 27A, Amdt. 1]

PART 503—ADMINISTRATION

RATIONING OF NEW COMMERCIAL MOTOR VEHICLES

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Orders 8989, as amended, 9156, 9214, and 9294, and War Production Board Directives 21 and 36, as amended, it is hereby ordered that § 503.477 of Administrative Order ODT 27A (10 F.R. 9128), be, and it hereby is, amended to read as follows:

§ 503.477 *Applicability.* The provisions of this order shall be applicable within the continental United States and the territories and possessions of the United States except Alaska.

This amendment shall become effective September 1, 1945.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U.S.C. App. 633, 58 Stat. 827; E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; E.O. 9156, 7 F.R. 3349; E.O. 9214, 7 F.R. 6097; E.O. 9294, 8 F.R. 221; WPB Directives 21 and 36, as amended, 8 F.R. 5834, 10 F.R. 9658)

Issued at Washington, D. C., this 18th day of August 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-15514; Filed, Aug. 21, 1945;
4:11 p. m.]

[General Permit ODT 16B-2]

PART 522—DIRECTION OF TRAFFIC MOVE- MENT—EXCEPTIONS, EXEMPTIONS AND PERMITS

SHIPMENTS OF COMMERCIAL FREIGHT TO SOUTH AMERICAN REPUBLICS AND TO CAR- IBBEAN AREA

Pursuant to the provisions of § 502.208 of General Order ODT 16B, it is hereby authorized, that:

§ 522.658 *Shipments of commercial freight to South American Republics and to the Caribbean area.* Any person may offer for transportation, and any rail carrier may accept for transportation, and transport, to or within any port area named in Appendix A of Administrative Order ODT 17A, as amended (9 F.R. 11281, 12292, 13808; 10 F.R. 4721, 10128), or as such order may be further amended, revised, or reissued, without observing the permit requirements of General Order ODT 16B, any carload shipment of commercial freight intended for transshipment by water from any such port area to any South American Republic or to the Caribbean area: *Provided*, That such shipment is covered by a bona fide firm booking with the ocean carrier and the bill of lading and other shipping documents covering the rail transportation of such shipment contain the following certification made by the shipper: "General Permit ODT 16B-2 applies".

This General Permit ODT 16B-2 shall become effective August 22, 1945.

(E.O. 8989, as amended, 6 F.R. 6725, 8 F.R. 14183; Gen. Order ODT 16B, 9 F.R. 11279)

Issued at Washington, D. C., this 21st day of August, 1945.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 45-15530; Filed, Aug. 22, 1945;
10:46 a. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Office of the Secretary.

LIVESTOCK AND LIVESTOCK PRODUCTS INCREASE IN SUBSIDY AUTHORIZATION

Pursuant to Public Law 164, 79th Congress, approved July 31, 1945, I hereby determine and direct that the amount of funds authorized to be expended by Commodity Credit Corporation under section 3 of the act of April 12, 1945 (Public Law 30, 79th Congress), with respect to livestock and livestock products shall be increased by \$36,000,000, which amount shall be available for subsidy operations with respect to lambs and sheep.

Issued this 21st day of August 1945.

[SEAL], CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-15536; Filed, Aug. 22, 1945;
11:11 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

SOUTHERN WOOD PRESERVING CO.

EXCEPTION FROM CERTAIN RECORD KEEPING REQUIREMENTS

Notice of the granting of exception to Southern Wood Preserving Company, Atlanta, Georgia, from certain record keeping requirements of the Fair Labor Standards Act of 1938.

Pursuant to section 11 (c) of the Fair Labor Standards Act of 1938, and § 516.18 of the record keeping regulations, Part 516, as amended, notice is hereby given of the granting of an exception to the Southern Wood Preserving Company, Atlanta, Georgia, relieving it of the requirement of preserving its employees' daily time cards for the period required by § 516.15 of the record keeping regulations; *Provided*, That the daily time cards are preserved for not less than ninety days; *And provided, further*, That the total number of hours worked each day by each employee is transcribed from the daily time cards to other records which will be preserved for four years as required by § 516.14 of the regulations.

This exception shall not apply with respect to the daily time cards of any employee under 16 years of age.

This exception is granted on the representations of the petitioner and is subject to revocation for cause.

Signed at New York, New York, this 17th day of August, 1945.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 45-15505; Filed, Aug. 21, 1945;
2:04 p. m.]

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice of issuance of special certificates for the employment of learners under the Fair Labor Standards Act of 1938.

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the act have been issued to the firms hereinafter mentioned under section 14 of the act, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2662, and as amended June 25, 1942, 7 F.R. 4725), and the determinations, orders and/or regulations hereinafter mentioned. The names and addresses of the firms to which certificates were issued, industry, products, number of learners, and effective and expiration dates of the certificates are as follows:

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1943 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3070), and Administrative Order, June 7, 1943 (8 F.R. 7890).

The Andala Company, Coffee Street, Andalusia, Alabama; cotton khaki army shirts;

10 percent (T); effective August 12, 1945, expiring August 11, 1946.

Blain Associates, Blain, Pennsylvania; women's rayon underwear; 4 learners (T); effective August 8, 1945, expiring August 7, 1946.

Fox Knapp Manufacturing Company, East Pottsville Street, Pine Grove, Pennsylvania; men's and boys' jackets and sportswear; 10 percent (T); effective August 12, 1945, expiring August 4, 1946.

Hickerson & Company, 1014 Laurel Street, Brainerd, Minnesota; mackinaws and woolen work garments; 10 percent (T); effective August 12, 1945, expiring August 11, 1946.

Nardis Sportswear, Inc., 409 Browder Street, Dallas, Texas; skirts, slacks, blouses, jackets and play suits; 20 percent (AT); effective August 8, 1945, expiring February 7, 1946.

Irving Reznick & Company, Church & Maple Streets, Salem, Illinois; cotton dresses, work garments, uniforms, sportswear, work garments; 10 percent (T); effective August 3, 1945, expiring August 2, 1946.

The S & B Manufacturing Company, Andalusia, Alabama; work pants; 10 percent (T); effective August 12, 1945, expiring August 11, 1946.

Well Styled Shirt Company, Inc., 422 Park Avenue, Perth Amboy, New Jersey; men's shirts; 5 learners (T); effective August 3, 1945, expiring August 2, 1946.

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Martinat Hosiery Mills, Inc., Valdese, North Carolina; seamless; 10 learners (AT); effective August 9, 1945, expiring February 8, 1946.

Independent Telephone Learner Regulations, July 17, 1944 (9 F.R. 7125).

The American Telephone Company, Baldwin, Kansas (T); effective August 15, 1945, expiring August 14, 1946.

The American Telephone Company, Dighton, Kansas (T); effective August 15, 1945, expiring August 14, 1946.

The American Telephone Company, Alma, Kansas (T); effective August 15, 1945, expiring August 14, 1946.

The American Telephone Company, Burlingame, Kansas (T); effective August 15, 1945, expiring August 14, 1946.

The American Telephone Company, Wathena, Kansas (T); effective August 15, 1945, expiring August 14, 1946.

The American Telephone Company, Valley Falls, Kansas (T); effective August 15, 1945, expiring August 14, 1946.

The American Telephone Company, Troy, Kansas (T); effective August 15, 1945, expiring August 14, 1946.

The American Telephone Company, Osborne, Kansas (T); effective August 15, 1945, expiring August 14, 1946.

The American Telephone Company, Holton, Kansas (T); effective August 15, 1945, expiring August 14, 1946.

The American Telephone Company, Hillsboro, Kansas (T); effective August 15, 1945, expiring August 14, 1946.

The American Telephone Company, Hiawatha, Kansas (T); effective August 15, 1945, expiring August 14, 1946.

The American Telephone Company, Horton, Kansas (T); effective August 15, 1945, expiring August 14, 1946.

The American Telephone Company, Wamegan, Kansas (T); effective August 15, 1945, expiring August 14, 1946.

Central Iowa Telephone Company, Eldora, Iowa (T); effective August 12, 1945, expiring August 11, 1946.

The Southwest Telephone Company, Meade, Kansas (T); effective August 12, 1945, expiring August 11, 1946.

United Telephone Company, King City, Missouri (T); effective August 15, 1945, expiring August 14, 1946.

United Telephone Company, Lebanon, Missouri (T); effective August 15, 1945, expiring August 14, 1946.

United Telephone Company, Mound City, Missouri (T); effective August 15, 1945, expiring August 14, 1946.

United Telephone Company, Odessa, Missouri (T); effective August 15, 1945, expiring August 14, 1946.

United Telephone Company, Salem, Missouri (T); effective August 15, 1945, expiring August 14, 1946.

United Telephone Company, Tipton, Missouri (T); effective August 15, 1945, expiring August 14, 1946.

United Telephone Company, Appleton City, Missouri (T); effective August 15, 1945, expiring August 14, 1946.

United Telephone Company, Windsor, Missouri (T); effective August 15, 1945, expiring August 14, 1946.

Cigar Industry Learner Regulations, April 22, 1944 (9 F.R. 4230)

Higdon Cigar Company, Quincy, Florida; cigars; 20 percent (AT); cigar machine operating for a learning period of 320 hours at 30 cents per hour; machine stripping for a learning period of 160 hours at 30 cents per hour; hand stripping for a learning period of 160 hours at 30 cents per hour; cigar packing for a learning period of 160 hours at 30 cents per hour; effective August 3, 1945, expiring February 2, 1946.

The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of the applicable determinations, orders and/or regulations cited above. These certificates have been issued upon the employers' representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of regulations, Part 522.

Signed at New York, New York, this 11th day of August 1945.

PAULINE C. GILBERT,
Authorized Representative
of the Administrator.

[F. R. Doc. 45-15504; Filed, Aug. 21, 1945; 2:04 p. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 152 et al.]

RAY WILSON, INC., ET AL.; ROCKY MOUNTAIN CASE

NOTICE OF POSTPONEMENT OF ORAL ARGUMENT

In the matter of the application of Ray Wilson, Inc., et al. for certificates and amendment of certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that oral argument in the above-entitled proceeding assigned to be held on September 10, 1945, is hereby postponed to October 1, 1945, at 10 a. m. (eastern war time) in Room 5042, Commerce Building, 14th Street and Constitution Avenue, N. W., Washington, D. C., before the Board.

Dated: Washington, D. C., August 21, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-15553; Filed, Aug. 22, 1945; 11:25 a. m.]

FEDERAL TRADE COMMISSION.

[Docket No. 5365]

SEBASTIAN-STUART FISH CO. ET AL.

NOTICE OF HEARING

In the Matter of Sebastian-Stuart Fish Co., a corporation, and Charles R. Allen, Sr., Gene M. Allen, Charles R. Allen, Jr., Mary E. Lankford, Gene M. Allen, II, and Harris M. Allen, individuals engaged in business as partners, trading as Charles R. Allen.

Complaint. The Federal Trade Commission, having reason to believe that the parties respondent named in the caption hereof, and hereinafter more particularly designated and described, since June 19, 1936, have violated and are now violating the provisions of subsection (c) of section 2 of the Clayton Act (U.S.C. Title 15, Sec. 13) as amended by the Robinson-Patman Act, approved June 19, 1936, hereby issues its complaint, stating its charges with respect thereto as follows:

PARAGRAPH 1: Sebastian-Stuart Fish Co. is a corporation organized and existing under and by virtue of the laws of the State of Washington with its principal office and place of business located at Spokane Street Dock, Seattle, Washington.

The respondent Sebastian-Stuart Fish Co. has been and is now engaged in the business of packing, selling and distributing canned fish and fresh fish (all of which are hereinafter designated as food products) in its own name and for its own account.

This respondent is hereafter designated as the respondent seller.

PAR. 2: The respondent seller distributes and sells its food products by two separate and distinct methods. The first and principal method is by utilizing intermediaries or food brokers, who act as respondent seller's agents in negotiating the sale of respondent seller's food products at respondent seller's prices, and on respondent seller's terms, and for which services to the respondent seller such intermediaries or food brokers are paid commissions or brokerage fees.

The second method utilized by the respondent seller in distributing food products, is by the direct sale of sub-

stantial quantities of its food products directly to buyers; representative of whom is Charles R. Allen, to whom respondent seller pays, directly or indirectly, commissions or brokerage fees on such buyer's purchases of respondent seller's food products which are purchased by Charles R. Allen and other buyers in their own name and for their own account.

PAR. 3: Respondents Charles R. Allen, Sr., Gene M. Allen, Charles R. Allen, Jr., Mary E. Lankford, Gene M. Allen, II and Harris M. Allen, individuals engaged in business as partners and trading as Charles A. Allen, have their principal office and place of business located at 16 Vendue Range, Charleston, South Carolina, and also maintain branch offices and warehouses in Jacksonville, Florida, and Savannah, Georgia.

These respondents are hereinafter referred to as respondent buyers.

The respondent buyers, since June 19, 1936, have been and are now principally engaged in the business of buying in their own name, and for their own account, various types, grades and brands of food products for resale and reselling such food products for their own account.

The respondent buyer in some instances, but to a lesser degree, also acts as an intermediary or broker for certain sellers of food products for whom respondent buyer negotiates the sale of such seller's products, and at such seller's prices, and on such seller's terms.

PAR. 4. Respondent buyer, in the course and conduct of said business since June 19, 1936, has purchased a substantial portion of its food products from Sebastian-Stuart Fish Co., which firm is located in a state other than the state in which respondent buyer is located, and as a result of respondent buyer's orders and instructions, such food products have been shipped and transported across state lines by respondent seller to said respondent buyer.

The respondent buyer's purchases from respondent seller since June 19, 1936, are representative of respondent buyer's purchases of various types, grades and brands of food products from numerous other interstate sellers, upon which purchases respondent buyer has also received commissions or brokerage fees.

PAR. 5. Respondent seller Sebastian-Stuart Fish Co., since June 19, 1936, in connection with the sale of its food products in interstate commerce to respondent buyer Charles R. Allen, and to other interstate buyers for their own account for resale, as hereinbefore set forth, has transmitted, paid and delivered, and does transmit, pay and deliver, directly or indirectly, to said respondent buyer and to other said buyers for their own account, commissions, brokerage fees or other compensation or allowances in lieu thereof in substantial amounts; and the respondent buyer Charles R. Allen, since June 19, 1936, has received and accepted and is now receiving and accepting, commissions, brokerage fees and other compensation or allowances in lieu thereof in

connection with said respondent buyer's interstate purchases of food products from the respondent seller and from other interstate sellers from whom respondent buyer purchases and has purchased food products in its own name and for its own account for resale.

PAR. 6: The foregoing acts of respondent seller Sebastian-Stuart Fish Co., in granting or paying commissions or brokerage fees on its sale of food products to respondent buyer Charles R. Allen and to other interstate buyers, and the foregoing acts of respondent buyer Charles R. Allen in receiving or accepting, directly or indirectly, commissions or brokerage fees on its purchases of food products from respondent seller Sebastian-Stuart Fish Company and from other interstate sellers, are in violation of subsection (c) of section 2 of the Clayton Act as amended.

Wherefore, the premises considered, the Federal Trade Commission on this 10th day of August, A. D. 1945, issues its complaint against said respondents.

Notice is hereby given you, Sebastian-Stuart Fish Co., a corporation, and Charles R. Allen, Sr., Gene M. Allen, Charles R. Allen, Jr., Mary E. Lankford, Gene M. Allen II, and Harris M. Allen, individuals engaged in business as partners trading as Charles R. Allen, respondents herein, that the 14th day of September, A. D. 1945, at 2 o'clock in the afternoon, is hereby fixed as the time, and the offices of the Federal Trade Commission in the City of Washington, D. C., as the place, when and where a hearing will be had on the charges set forth in this complaint, at which time and place you will have the right, under said act, to appear and show cause why an order should not be entered by said Commission requiring you to cease and desist from the violations of the law charged in the complaint.

You are notified and required, on or before the twentieth day after service upon you of this complaint, to file with the Commission an answer to the complaint. If answer is filed and if your appearance at the place and on the date above stated be not required, due notice to that effect will be given you. The rules of practice adopted by the Commission with respect to answers or failure to appear or answer (Rule IX) provide as follows:

In case of desire to contest the proceeding the respondent shall, within twenty (20) days from the service of the complaint, file with the Commission an answer to the complaint. Such answer shall contain a concise statement of the facts which constitute the ground of defense. Respondent shall specifically admit or deny or explain each of the facts alleged in the complaint, unless respondent is without knowledge, in which case respondent shall so state.

Failure of the respondent to file answer within the time provided and failure to appear at the time and place fixed for hearing shall be deemed to authorize the Commission, without further notice to respondent, to proceed in regular course on the charges set forth in the complaint.

If respondent desires to waive hearing on the allegations of fact set forth in the complaint and not to contest the facts, the an-

swer may consist of a statement that respondent admits all the material allegations of fact charged in the complaint to be true. Respondent by such answer shall be deemed to have waived a hearing on the allegations of fact set forth in said complaint and to have authorized the Commission, without further evidence, or other intervening procedure, to find such facts to be true.

Contemporaneously with the filing of such answer the respondent may give notice in writing that he desires to be heard on the question as to whether the admitted facts constitute the violation of law charged in the complaint. Pursuant to such notice, the respondent may file a brief, directed solely to that question, in accordance with Rule XXIII.

In witness whereof, the Federal Trade Commission has caused this, its complaint, to be signed by its Secretary, and its official seal to be hereto affixed, at Washington, D. C., this 10th day of August, A. D., 1945.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-15533; Filed, Aug. 22, 1945; 11:06 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 120, Order 1443]

BROCK COAL CO., ET AL.

ORDER ESTABLISHING MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton, for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f.-o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

shall not exceed the adjusted ceiling price specified in subparagraph (1).

(4) The adjusted ceiling prices set forth in subparagraph (1) are for first quality garments only. The maximum price for any of the listed garments which, according to H. W. Carter & Sons standards of grading during March 1942 would be considered an "imperfect" or "second" shall be the price listed in subparagraph (1) less the percentage discount customarily allowed by H. W. Carter & Sons for such garments during March 1942.

(b) *Ceiling prices for sales at retail.* On and after August 22, 1945, the ceiling prices for sales at retail of the garments listed in paragraph (a) shall be as follows:

Lot No.	Type of garment	Ceiling prices (per garment) for group II retail sellers ¹	
		Sales in East and Central region	Sales in Mountain and Pacific region
8220	Bib overall	\$2.36	\$2.42
8233	do	2.83	2.89
8234	do	2.44	2.50
8238	Dungaree	1.90	1.94
8429	do	2.32	2.36
255	Bib overall	2.42	2.48
295	do	2.04	2.10
140	do	1.78	1.84

¹ The listed ceiling prices are for first quality garments. The ceiling price for a "second" or "imperfect" shall be the listed price less the percentage discount used in calculating ceiling prices for such garments under paragraph (a) above.

(c) *Notice which H. W. Carter & Sons must send to retailers.* (1) On or after August 22, 1945, H. W. Carter & Sons, shall transmit to each retailer to whom it makes delivery of any of the garments listed in paragraph (a) of this order, the following notice:

NOTICE OF ADJUSTED CEILING PRICES

The Office of Price Administration has adjusted our ceiling prices on certain garments of staple work clothing pursuant to the provisions of Order No. 42, issued under section 5.9 (b) of Revised Maximum Price Regulation 208. In column A below you will find our adjusted ceiling prices for these garments.

Under this order the Office of Price Administration has established specific ceilings for sales at retail of these garments. Your selling prices will be found in column B or column C, depending on whether you are located in the East and Central region or the Mountain and Pacific region.¹

Lot No.	Type of garment	Carter's adjusted ceiling prices	Ceiling prices (per garment) for group II retail sellers	
			Sales in East and Central region	Sales in Mountain and Pacific region
		Col. A	Col. B	Col. C
8220	Bib overall	\$21.31	\$2.36	\$2.42
8233	do	25.47	2.83	2.89
8234	do	21.98	2.44	2.50
8238	Dungaree	16.78	1.90	1.94
8429	do	19.77	2.32	2.36
255	Bib overall	21.77	2.42	2.48
295	do	18.44	2.04	2.10
140	do	15.98	1.78	1.84

The Office of Price Administration requires that each garment must be marked with the retail ceiling price. A garment must not be sold above the ceiling price listed above, but may be sold for less. This list must be promptly displayed to any person on request during regular business hours.

¹ H. W. Carter & Sons may transmit separate lists to customers located in each of these regions, listing only the ceiling prices applicable to sales in that region. In such case, this sentence should be omitted.

(2) The notice required to be sent by H. W. Carter and Sons, to its retail customers, as provided in this paragraph (c) and containing the information applicable to the enumerated garments included in the particular shipment, shall be transmitted with, or annexed to, the invoice, billing or other statement of price accompanying every shipment made directly to retailers by H. W. Carter and Sons after August 22, 1945, of any of the garments listed in paragraph (a) of this order. This notice, with respect to any garment for which H. W. Carter and Sons is permitted to adjust its ceiling price under this order, shall be sent by H. W. Carter and Sons in lieu of the notice required under § 5.1 (c) (1) of Revised Maximum Price Regulation 208.

(f) *Informational requirements.* In selling and delivering the garments listed in paragraph (a), all sellers must comply with all provisions of Revised Maximum Price Regulation 208, including those relating to marking, disclosure and records.

(g) On or before February 15, 1946, H. W. Carter & Sons, shall file with the Office of Price Administration, Washington, D. C., (Men's Clothing Section) a copy of its profit and loss statement for the year ending December 31, 1945, together with a copy of its balance sheet as of December 31, 1945.

(h) All prayers of the application by H. W. Carter & Sons not granted herein are hereby denied.

(i) The definitions in Revised Maximum Price Regulation 208 shall apply to the terms used in this order.

(j) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 22, 1945.

Issued this 21st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15483; Filed, Aug. 21, 1945; 11:49 a. m.]

[MPR 220, Order 114]

B. B. CHEMICAL CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith, and filed with the Division of the Federal Register, and pursuant to section § 1315.1558 of Maximum Price Regulation 220 and section 6.4 of the Second Revised Supplementary Regulation No. 14 to the General Maximum Price Regulation, it is ordered:

(a) *Applicability.* This order applies to all sales to the industrial users and to all sales to wholesalers of the item P1953 Bostik cement manufactured by the B. B. Chemical Company of Cambridge, Massachusetts.

(b) *Sales to industrial users.* The maximum net prices for all sales to industrial users of the commodity described in paragraph (a) of this order shall be:

\$3.187 per gallon, one-gallon can, east of the Rocky Mountains.
\$2.652 per gallon, five-gallon drum, east of the Rocky Mountains.

\$2.327 per gallon, fifty-gallon drum, east of the Rocky Mountains.
\$3.586 per gallon, one-gallon can, west of the Rocky Mountains.
\$3.027 per gallon, five-gallon drum, west of the Rocky Mountains.
\$2.635 per gallon, fifty-gallon drum, west of the Rocky Mountains.

Freight allowances shall be as follows: Freight prepaid and allowed up to \$1.00 per one hundred pounds east of the Rocky Mountains and \$4.00 per one hundred pounds west of the Rocky Mountains.

(c) *Sales to wholesalers.* Maximum net prices for all sales of the commodity described in paragraph (a) of this order to wholesalers shall be:

\$2.39 per gallon, one-gallon can, east of the Rocky Mountains.
\$2.123 per gallon, five-gallon drum, east of the Rocky Mountains.
\$2.036 per gallon, fifty-gallon drum, east of the Rocky Mountains.
\$2.69 per gallon, one-gallon can, west of the Rocky Mountains.
\$2.422 per gallon, five-gallon drum, west of the Rocky Mountains.
\$2.306 per gallon, fifty-gallon drum, west of the Rocky Mountains.

Freight allowances shall be as follows: Freight prepaid and allowed up to \$1.00 per one hundred pounds east of the Rocky Mountains and \$4.00 per one hundred pounds west of the Rocky Mountains.

(d) *Notification of maximum prices.* With or prior to the first sale to a wholesaler of the commodity priced by this order the seller shall notify such wholesaler of the maximum prices applicable to the wholesaler's sales to industrial users as established by paragraph (b) of this order.

(e) Between 60 and 75 days after the effective date of this order, the manufacturer shall recompute his costs in the manner provided in § 1315.1557 (c) of Maximum Price Regulation 220 and report them to the Office of Price Administration.

(f) All provisions of Maximum Price Regulation 220 not inconsistent with this order shall apply to the manufacturer's sales of the commodity priced by this order. All provisions of the General Maximum Price Regulation not inconsistent with this order shall apply to wholesalers' sales to industrial users of the commodity priced by this order.

(g) This order may be amended or revoked by the Office of Price Administration at any time.

This order shall become effective August 22, 1945.

Issued this 21st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15482; Filed, Aug. 21, 1945; 11:48 a. m.]

[MPR 260, Order 1761]

LA BEBA CIGAR FACTORY

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; it is ordered, That:

(a) La Beba Cigar Factory, 2102 Columbus Drive, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Beba	Brevas	50	\$169.00	22
	Panetelas X	50	75.00	10
	Babies	50	44.00	2for11
	Reinas D	50	108.75	2for29
	Londres	50	63.75	2for25
	Londres Grande	50	154.00	20
	Blunts	50	75.00	10
	Fancitales	50	154.00	20
	Bostons	50	93.75	2for25
	Conchas	50	93.75	2for25

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall ap-

ply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 22, 1945.

Issued this 21st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15476; Filed, Aug. 21, 1945; 11:47 a. m.]

[MPR 260, Order 1762]

EDDIE SAN JUAN CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1353.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Eddie San Juan Cigar Company, 2929 Banza Street, Tampa, Fla. (hereinafter called "manufacturer"), and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Don Bareso	Bostons	50	Per M \$1.10	Cents 8
	Londres	50	100	14
	Españoles	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same

class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260 shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 22, 1945.

Issued this 21st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15476; Filed, Aug. 21, 1945; 11:48 a. m.]

[MPR 260, Order 1763]

LUIS ALADRO CIGAR CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; It is ordered, That:

(a) Luis Aladro Cigar Company, 2912 1/2 16th Street, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
City Limit	Corona Special	50	Per M \$1.23	Cents 16

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not

be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(e) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 22, 1945.

Issued this 21st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15477; Filed, Aug. 21, 1945;
11:50 a. m.]

[MPR 260, Order 1764]

DEMETRIO MARTINEZ

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Demetrio Martinez, 1815 10th Avenue, Tampa 5, Fla. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
O'Halloran & Garcia.	Panetelas.....	50	Per M \$75.00	Cents 10
	Cadet.....	50	10L 25	2 for 27

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 22, 1945.

Issued this 21st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15478; Filed, Aug. 21, 1945;
11:50 a. m.]

[MPR 260, Order 1765]

C. H. PANGLE

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) C. H. Pangle, 933 South Queen Street, York, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
La Creda.....	Perfecto.....	50	Per M \$72	Cents 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 22, 1945.

Issued this 21st day of August 1945.

CHESTER BOWLES,
Administrator.

o [F. R. Doc. 45-15479; Filed, Aug. 21, 1945;
11:49 a. m.]

[MPR 260; Order 1768]

DAN STRAIN

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered, That:*

(a) Dan Strain, 1202 So. Main Street, Bloomington, Ill. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Strain-After-Dinner.	3/8" Corona...	50	Per M \$50	Cents 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for

which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 22, 1945.

Issued this 21st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15480; Filed, Aug. 21, 1945;
11:49 a. m.]

[RMFR 300, Amdt. 1 to Order 14]

K. & W. RUBBER CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 3 of Revised Maximum Price Regulation 300; *It is ordered:*

Paragraph (b) of Order No. 14 under Revised Maximum Price Regulation 300 is hereby amended to read as follows:

(b) *Maximum prices.* The maximum prices for sales of the commodities described in paragraph (a) of this order shall be:

	Size	For sales to retailers and wholesalers
Large air mattresses.....	34" x 72"	\$15.45
Small air mattresses.....	34" x 45"	10.50
Air pillows.....	11" x 14"	1.24

The maximum prices for sales to army canteens, post exchanges and commissaries shall be the maximum prices set forth above for sales to retailers and wholesalers.

The maximum prices for sales at retail of the commodities priced by this order (other than sales at retail by army canteens, post exchanges and commissaries) shall be 166 2/3 percent of the net purchase price, excluding cash discounts.

The above maximum prices for all sales other than sales at retail shall be subject to cash discount of 2 percent, ten days, net thirty days. The above prices for the manufacturer's sales to wholesalers and to retailers are subject to freight terms—f. o. b. Delaware, Ohio.

This amendment shall become effective August 22, 1945.

Issued this 21st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15485; Filed, Aug. 21, 1945;
11:50 a. m.]

[MPR 591, Order 5]

TYLER FIXTURE CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591; *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following models of Frozen Food Reach-In Refrigerators manufactured by the Tyler Fixture Company, and as described in its application dated July 17, 1945, which is on file with the Building Materials Price Branch, Office of Price Administration, Washington 25, D. C. shall be:

	On sales to consumers	On sales to dealers	On sales to export
Model HU-1SF-18 cu. ft. reach-in box.....	\$225	\$410.00	\$337
Model HU-1SD-18 cu. ft. reach-in box.....	225	410.00	267
Model HU-1SF-18 cu. ft. reach-in box for compressor and valve.....	445	311.00	267
Model HU-1SD-18 cu. ft. reach-in box for compressor and valve.....	445	311.00	267

(b) On sales by the Tyler Fixture Company the maximum net prices established in (a) above may be increased by the following amount to each class of purchaser as a charge to cover the cost of crating, when crating is actually supplied: \$6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered to purchasers of the same class on comparable sales of similar commodities during March 1942.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount noted above.

(e) Each seller of the commodity covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, including allowable transportation and crating charges.

(f) The Tyler Fixture Company shall stencil on the inside of the lid or cover of the Frozen Food Reach-In Refrigerators covered by this order, the maximum net prices to consumers established by this order. The stencil shall contain substantially the following:

OPA Maximum Retail Price \$.....

Plus freight and crating as provided in Order No. under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective August 21, 1945.

Issued this 20th day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15516; Filed, Aug. 21, 1945;
4:44 p. m.]

[MPR 592, Amdt. 4 to Order 1]

GYPHUM LATH

MODIFICATION OF MAXIMUM PRICES

An opinion accompanying this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Order No. 1 is amended in the following respects:

1. A new section 7.9 (f) is added to read as follows:

(f) This section shall terminate December 31, 1945, unless otherwise extended by Amendment.

2. A new section 7.10 is added to read as follows:

Sec. 7.10 *Modification of maximum prices for gypsum lath manufactured in the States of California and Nevada.*

(a) The manufacturers' maximum prices established pursuant to Maximum Price Regulation 592, for gypsum lath manufactured in the States of California and Nevada, may be increased by adding an amount not in excess of \$0.02½ per square yard to the f. o. b. plant or delivered prices.

(b) Any reseller purchasing gypsum lath for resale in the same form from any manufacturer who has modified his maximum prices in accordance with (a) above, may increase his maximum prices by a dollars-and-cents amount not exceeding his actual dollars-and-cents increase in cost resulting from the modification permitted manufacturers in (a) above.

(c) The maximum prices established herein shall be subject to size differentials, cash, quantity and other discounts, services and other terms and conditions of sale at least as favorable as the seller extended or rendered on comparable sales to purchasers of the same class during March 1942.

(d) The manufacturers' maximum prices for sales of ¾" gypsum lath for shipment to points in the States of Oregon and Washington as established in section 7.9 of Order No. 1 of Maximum Price Regulation 592 shall not be further increased by the increase permitted in (a) above.

This Amendment No. 4 shall become effective August 21, 1945.

Issued this 21st day of August 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-15517; Filed, Aug. 21, 1945;
4:44 p. m.]

Regional and District Office Orders.

[Connecticut Order G-1 Under RMPR 259]

DOMESTIC MALT BEVERAGES IN CONNECTICUT

For the reasons set forth in the accompanying opinion, it is hereby ordered:

SECTION 1. *What this order does.* In accordance with the provisions of section 5.2 (c) of RMPR 259, this order establishes uniform maximum deposit charges which may be imposed by wholesalers and retailers for cases and containers in connection with sales of domestic malt beverages in bottles or cases.

SEC. 2. *Where this order applies.* The provisions of this order apply to all wholesalers and retailers located within the State of Connecticut.

SEC. 3. *Applicability.* No wholesaler or retailer located within the area where this order is applicable may require a deposit from purchasers in excess of the sum permitted by this order.

SEC. 4. *Deposit charges established by this order.* The maximum deposit charges for all sellers to which this order is applicable are as follows:

Cases with bottles:	Cents
Wooden -----	0.75
Carton -----	.60
Bottles:	
12-oz. bottles -----	.02
32-oz. bottles -----	.05

SEC. 5. *Definitions.* Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in RMPR 259, as amended, shall apply to the terms used herein.

This order shall become effective July 19, 1945.

Issued this 10th day of July 1945.

STANLEY CRUTE,
District Director.

[F. R. Doc. 45-15421; Filed, Aug. 20, 1945;
4:54 p. m.]

[Binghamton Order G-1 Under MPR 394]

KOSHER RETAIL SELLING ESTABLISHMENTS IN SULLIVAN COUNTY, N. Y.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Binghamton District Office of the Office of Price Administration, by section 5 (b) (7) of, and Order No. 2 under, Maximum Price Regulation No. 394, it is hereby ordered:

SECTION 1. *To whom this order applies.* This order applies to any kosher retail selling establishment or store in the county of Sullivan in the State of New York, which establishment or store is not a hotel supply house or which does not slaughter more than twenty cattle or calves per month.

SEC. 2. *What this order permits.* Each establishment to which this order applies may sell kosher retail meat cuts in any amounts at the prices specified in section 24 of Maximum Price Regulation No.

394, *Provided*, That in no event shall such kosher retail selling establishment or store sell kosher retail meat cuts to purveyors of meals in excess of 70% of its total calendar monthly dollar volume of meat sales.

SEC. 3. *What records and receipts this order requires.* Each establishment to which this order applies shall give the receipts and keep the records indicated below and make such records available for OPA inspection, in addition to other records required by Maximum Price Regulation No. 394.

(a) On all sales made to purveyors of kosher meals, you must keep records and give receipts to each respective purchaser, showing the name and address of each such purchaser, the date of each purchase, your name and address, and component items of each order including the name, weight and grade of each retail kosher meat cut and the price charged therefor.

(b) You must keep records showing the total calendar monthly dollar volume of retail meat cuts sold to all purchasers, and the total calendar monthly dollar volume of meat cuts sold to purveyors of meals during the same period.

This order may be revoked or amended at any time.

This order shall become effective July 5, 1945.

Issued this 5th day of July 1945.

HOWARD T. WARE,
District Director.

[F. R. Doc. 45-15422; Filed, Aug. 20, 1945;
4:54 p. m.]

[Region IV Order G-1 Under Rev. Supp. Service Reg. 43 to RMPR 165]

VEGETABLE PACKING SERVICES IN FLORIDA

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator, Region IV, Office of Price Administration, by § 1499.676 (b) (2) of Revised Supplementary Service Regulation No. 43 to Revised Maximum Price Regulation No. 165, paragraph (j) of Order No. G-1 under said Revised Supplementary Service Regulation No. 43, issued by this office on April 11, 1945, is hereby amended to read as follows:

(j) This order shall become effective as of September 1, 1944.

Effective date. This amendment shall become effective as of July 10, 1945.

Issued: July 31, 1945.

ALEXANDER HARRIS,
Regional Administrator.

[F. R. Doc. 45-15430; Filed, Aug. 20, 1945;
4:56 p. m.]

[Miami Order G-1 Under RMPR 250]

DOMESTIC MALT BEVERAGES IN MIAMI, FLA., DISTRICT

For the reasons set forth in the accompanying opinion, it is hereby ordered:

SECTION 1. *What this order does.* In accordance with the provisions of section

5.2 (c) of RMPR 259, this order establishes uniform maximum deposit charges which may be imposed by wholesalers and retailers for cases and containers in connection with sales of domestic malt beverages in bottles or cases.

SEC. 2. Where this order applies. The provisions of this order apply to all wholesalers and retailers located within Dade, Monroe, Collier, Broward, Palm Beach, Hendry, Lee, Glades, Charlotte, Sarasota, Manatee, Hardee, DeSoto, Highlands, Saint Lucie, Okeechobee, Martin, Indian River, Osceola, Polk, Pasco, Hernando, Hillsborough, Pinellas, counties in Florida. Brewers, whether selling to retailers or not, shall not be subject to this order.

SEC. 3. Applicability. No wholesaler or retailer located within the area where this order is applicable may require a deposit from purchasers in excess of the sum permitted by this order.

SEC. 4. Deposit charges established by this order. The maximum deposit charges for all sellers to which this order is applicable are as follows:

Cases:	Cents
Wooden.....	27
Fibre.....	27
Carton.....	27
Containers:	
12 oz. bottle.....	2
Over 12 oz. bottle.....	4

SEC. 5. Definitions. Unless the context otherwise requires, the definitions set forth in section 502 of the Emergency Price Control Act of 1942, as amended, and in RMPR 259, as amended, shall apply to the terms used herein.

This order shall become effective August 13, 1945.

Issued this 13th day of August 1945.

JAMES S. THOMAS,
District Director.

[F. R. Doc. 45-15425; Filed, Aug. 20, 1945;
4:55 p. m.]

[Region V Order G-1 Under MPR 122,
Amdt. 3]

SOLID FUELS IN ST. LOUIS COUNTY, MO.

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price Regulation No. 122 and for the reason set forth in the opinion issued simultaneously herewith: *It is ordered*, That Revised Order G-1 under Revised Maximum Price Regulation No. 122 be, and the same is hereby, amended in the following respects:

1. Section (c) (1) V is amended to read as follows:

1. Egg, byproduct, top size 3", bottom size 2 3/8" (produced in St. Louis, Mo.) \$12.55
2. Furnace; stove, byproduct, top size 2 3/8", bottom size 1 3/8" (produced in St. Louis, Mo.) 12.05
3. Chestnut, byproduct, top size 1 1/2", bottom size 3/4" (produced in St. Louis, Mo.) 12.05
4. Low temperature, top size no limit, bottom size 3/4" (produced in St. Clair and Franklin Counties, Ill.) 9.30

No. 168—5

2. Section (k) is amended to read as follows:

(k) *Sales slips and receipts; records.* (1) Every person selling solid fuels subject to this order shall, either at the time of, or within thirty days after the date of a sale or delivery of solid fuels governed by this order, give to his purchaser an invoice, sales slip or receipt, and shall keep an exact copy thereof for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, showing the following information: the name and address of the seller and the purchaser; the kind, size and quantity of the solid fuels sold, the date of the sale or delivery and the price charged. In addition, he shall separately state on each such invoice, sales slip or receipt, the amount, if any, of the required discounts, authorized service charges and taxes which must be deducted from or which may be added to the established maximum prices; *Provided*, That a dealer who is authorized to make a special service charge for chemical or oil treatment of coal need not separately state the amount of such service charge if he clearly indicates on the invoice that such coal is so treated. This section shall not apply to sales of solid fuels in less than quarter ton lots unless requested by the purchaser.

This order shall be retroactively effective August 7, 1945.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 11th day of August 1945.

W. W. ORTH,
Regional Administrator.

[F. R. Doc. 45-15428; Filed, Aug. 20, 1945;
4:55 p. m.]

[Region V Order G-2 Under RMPR 259] DOMESTIC MALT BEVERAGES IN DALLAS REGION

For the reasons set forth in the accompanying opinion, it is hereby ordered:

SECTION 1. What this order does. In accordance with the provisions of section 5.2 (c) of Revised Maximum Price Regulation 259, this order establishes uniform maximum deposit charges which may be imposed by wholesalers and retailers for cases and containers in connection with sales of domestic malt beverages in bottles or cases.

SEC. 2. Where this order applies. The provisions of this order apply to all wholesalers and retailers located within Region V of the Office of Price Administration which is composed of the following states: Kansas, Missouri, Arkansas, Oklahoma, Louisiana and Texas.

SEC. 3. Applicability. No wholesaler or retailer located within the area where this order is applicable may require a deposit charge from purchasers in excess of the sum permitted by this order. Until September 15, 1945, refund for the return of empties delivered prior to the effective date of this order shall be the amount of deposit actually required for the re-

turn of such cases and containers prior to the effective date of this order, not in excess of the charges permitted under section 5.2 (c) of Revised Maximum Price Regulation 259.

SEC. 4. Deposit charges established by this order. The maximum deposit charges for all sellers to which this order is applicable are as follows:

Cases:	Cents each
Wooden.....	52
Solid fiber.....	27
Corrugated cartons.....	27
Containers:	
Bottles—12-ounce or less.....	2
Bottles over 12-ounce.....	4

SEC. 5. Definitions. Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, and in Revised Maximum Price Regulation 259, as amended, shall apply to the terms used herein.

SEC. 6. Revocation. Order No. 1 under section 5.2 (c) of Revised Maximum Price Regulation 259 issued August 9, 1945 is hereby revoked.

This order shall become effective August 25, 1945.

Issued this 13th day of August 1945.

W. W. ORTH,
Regional Administrator.

[F. R. Doc. 45-15428; Filed, Aug. 20, 1945;
4:55 p. m.]

[Region V Supp. Order 2 Under RMPR 122]

SOLID FUELS IN DALLAS REGION

For the reasons set forth in the opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of Region V of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended: *It is ordered*:

(a) Dealers making sales of bituminous coal subject to general orders issued by the Regional Administrator of Region V under Revised Maximum Price Regulation No. 122, which general orders are listed in paragraph (b) of this order, may increase the maximum prices for the sizes of bituminous coal which are specifically priced in said orders by adding to the dollar and cents maximum prices established in said orders an amount not in excess of the amounts hereinafter specifically set forth:

	Per ton increase permitted (cents)
(1) From district No. 1:	
(a) Produced at underground mines or at strip mines which have been granted permission to charge the deep mine price by order of the Administrator.....	10
(2) From district No. 7:	
(a) Produced at all mines.....	4
(3) From district No. 10:	
(a) Produced at underground mines loading coal mechanically such as with loading machines or conveyors inside the mine:	
Size groups 1 to 8 inclusive.....	1
Size groups 9 to 23 inclusive.....	6
(b) Produced at strip mines:	
Size groups 1 to 8 inclusive.....	5
Size groups 9 to 23 inclusive.....	10

	Per ton increase permitted (cents)
(4) From district No. 11:	
(a) Produced at all mines.....	4
(5) From district No. 15:	
(a) Produced at strip mines.....	3
(b) Produced at all underground mines.....	10
(6) From district No. 17:	
(a) Produced at underground mines loading coal entirely by hand with- out the aid of any mechanical means such as loading machines or con- veyors inside the mine.....	5

(b) *Orders affected.* The provisions of paragraph (a) above shall apply to the following Region V Orders as amended or revised, which have been issued under Revised Maximum Price Regulation No. 122:

Order number and area

Revised:

- G-1 City of St. Louis and St. Louis County, Mo.
- G-2 Cities of Kansas City, Mo., and Kansas City, Kans., and parts of the counties adjacent thereto.
- G-3 City of Topeka, and parts of Shawnee County, Kans., adjacent thereto.
- G-4 City of Wichita and a part of Sedgwick County, Kans., adjacent thereto.
- G-5 City of St. Joseph, Mo.
- G-6 Cities of Cape Girardeau, and Jackson, Mo.
- G-7 City of Springfield, Mo.

(c) Wherever applicable the definitions set forth in the general orders described in (b), as amended or revised, are incorporated by reference and made a part of this order.

(d) This Supplementary Order No. 2 may be revoked, amended, or corrected at any time.

This Supplementary Order shall become retroactively effective August 3, 1945.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, this 14th day of August 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 45-15427; Filed, Aug. 20, 1945; 4:55 p. m.]

[Region VI Order G-1 Under 3 (e)]

IMPORTED MEXICAN BEER IN IOWA AND NEBRASKA

For reasons set forth in the accompanying opinion and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.3 (e) (2) of the General Maximum Price Regulation; *It is hereby ordered:*

(a) This order shall not apply to any sales of imported beer, the maximum price for which sales have been or which can be established under § 1499.2 of the General Maximum Price Regulation.

(b) That the maximum prices for sales at wholesale and retail (except for consumption on the seller's premises), not excluded by paragraph (a) above, in the states of Iowa and Nebraska of the beer imported from Mexico known as, and

sold under the trade names of "Monterrey" and "Carta Blanca" are as follows:

(1) The maximum price for sales at wholesale, delivered to the purchasers' premises, state tax paid, shall be \$4.80 per case for Monterrey brand, and \$4.93 per case for Carta Blanca brand. A case shall consist of 24 bottles of 12 oz. each.

(2) The maximum price for sales at retail shall be 27¢ per 12 oz. bottle for Monterrey or Carta Blanca, for consumption off the retailers' premises.

(3) Sellers may require a container deposit charge of 52¢ for each wooden case, and 2¢ additional for each 12 oz. bottle. All deposits shall be refunded to the purchaser upon the return of the empty containers.

(4) Each seller at wholesale shall place in each case of beer or attach to each invoice covering the beer sold under this order, a notice substantially as follows:

NOTICE

Order No. G-1 issued by the Chicago Regional Office of the Office of Price Administration under § 1499.3 (e) (2) of the General Maximum Price Regulation fixes the maximum price of Monterrey beer and Carta Blanca beer for sale at retail for off-premise consumption at 27¢ per 12 oz. bottle for those sellers who have not, or may not establish their maximum prices for sale of these brands of beer under § 1499.2 of General Maximum Price Regulation, and fixes container deposit charges at 52¢ per wooden case, and an additional 2¢ per 12 oz. bottle. Deposits must be refunded to the purchaser upon return of the empty containers.

(e) *Definitions.* (1) "Sale at wholesale" means a sale by a person who buys a commodity and resells it, without substantially changing its form, to any person other than the ultimate consumer.

(2) "Sale at retail" means a sale or selling to an ultimate consumer.

(3) Unless the context otherwise requires, the definitions set forth in the

General Maximum Price Regulation, and the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) *Revocability.* This order may be revoked, amended or corrected at any time.

(e) *Effective date.* This order shall be effective July 30, 1945.

Issued this 24th day of July 1945.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-15423; Filed, Aug. 20, 1945; 4:54 p. m.]

[Region VI Order G-5 Under RMPR 122, Amdt. 2]

SOLID FUELS IN TWIN CITIES AREA

An opinion accompanying this amendment has been issued simultaneously herewith. Revised Order No. G-5 under Revised Maximum Price Regulation No. 122, as amended, is amended in the following respects:

1. Paragraph (c) (1) of the price schedule is hereby amended to read as follows:

(c) *Price schedule.* (1) Immediately below and as part of this paragraph (c) is a schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels. Column 1 describes the coal for which prices are established; columns 2 and 3 show maximum prices at which sales of domestic coal may be made by the dealer; columns 4 and 5 show the maximum prices for sales of steam coal; and columns 6 and 7 show the maximum prices for yard sales to other dealers for resale. All prices are on a net ton basis, except where it is otherwise specifically stated. These prices do not apply to rail shipments from the river docks.

SCHEDULE

Description	Domestic coal		Steam coal		Dealer at plant	
	Delivered	Consumer at yard	Delivered	Consumer at yard	Domestic	Steam
1	2	3	4	5	6	7
I. High volatile bituminous coal from district Nos. 2 and 3 (northern West Virginia and western Pennsylvania):						
1. Lump, 2" and over.....	\$13.19	\$12.19	\$11.25	\$10.85	\$10.44	\$10.23
2. Egg, 3" x 2".....	19.94	11.94	11.05	10.65	10.10	10.05
3. Stove, 2" x 1 1/4".....	12.59	11.59	10.70	10.30	9.84	9.70
4. Domestic stoker.....	11.89	10.89	9.05	8.25	8.04	8.05
5. Screenings 1 1/4" and not exceeding 2" x 0.....	11.34	10.34	9.10	8.70	8.09	8.10
6. Modified screenings.....	11.49	10.49	9.25	8.85	8.24	8.23
II. High volatile bituminous coal from district No. 4 (Ohio):						
1. Hocking Valley, lump over 2".....	12.94	11.94	11.00	10.60	10.10	10.00
2. Hocking valley egg 4" x 2".....	12.79	11.79	10.85	10.45	10.04	9.85
3. Hocking Valley stove 2" x 1 1/4".....	12.34	11.34	10.40	10.00	9.59	9.40
4. Hocking Valley screenings 1 1/4" not exceeding 2" x 0.....	11.24	10.24	8.95	8.55	8.09	7.95
III. Low volatile bituminous coal from district No. 7 (West Virginia and North Virginia smokeless)						
1. Lump, 2" and over and egg mixed.....	15.84	14.84	14.35	13.95	13.09	13.35
2. Egg, 3" x 2" and larger.....	16.19	15.19	14.70	14.30	13.44	13.70
3. Stove, 2" x 1 1/4" and larger.....	15.64	14.64	14.15	13.75	12.89	13.15
4. Pea or Nut, 1 1/2" x 3/4".....	14.84	13.84	12.30	11.90	12.09	11.30
5. Stoker Pea, 3/4" x 1/4".....	13.84	12.84	12.20	11.80	11.09	11.20
6. Unscreened Stoker (Buckwheat).....	12.59	11.59	10.70	10.10	10.31	9.70
7. Screenings, 3/8" x 0 and larger.....	11.84	10.84	9.60	9.20	9.59	8.69
8. Run-of-mine.....	13.74	12.74	12.20	11.80	11.34	11.29
Coal from Mine Index No. 73, the Glen Rogers Mine of the Raleigh Wyoming Coal Company						
9. Lump, 2" and over.....	16.75	15.75	15.26	14.86	14.00	14.53
10. Egg, 3" x 2" and larger.....	17.10	16.10	15.61	15.21	14.35	14.61
11. Stove, 2" x 1 1/4" and larger.....	16.55	15.55	15.01	14.61	13.80	14.01

SCHEDULE—Continued

Description	Domestic coal		Steam coal		Dealer at plant	
	Delivered	Con- sumer at yard	Delivered	Con- sumer at yard	Domestic	Steam
IX. High volatile bituminous coal from district No. 10 (Illinois):						
A. Southern subdistrict (deep machine mines):						
1. Egg, 6" x 3", and 2" x 1 1/2".....	\$11.03	\$10.03	\$9.89	\$9.40	\$8.88	\$8.89
2. Small egg, 3" x 2".....	11.33	10.33	9.69	9.10	8.69	8.69
3. Stove, 2" x 1 1/2".....	11.13	10.13	9.30	8.69	8.30	8.30
4. Run screenings, not exceeding 2" x 0.....	4.48	8.48	7.24	6.81	7.23	6.24
5. Commensal stoker screenings, washed and dedusted, 2" x 0 and smaller, size group Nos. 23, 21, 20, and 27.....	9.08	8.08	7.60	7.20	7.73	6.69
6. Special prepared (double screened) domestic stoker, size group Nos. 21, 22, and 23.....	10.63	9.63	8.20	7.80	8.28	7.20
B. Central subdistrict (price group Nos. 12 and 13 (deep machine mines):						
1. Lump, 6", 8", and 7".....	10.73	9.73	8.74	8.34	7.08	7.74
2. Egg, 6" x 3", and 2" x 1 1/2".....	10.73	9.73	8.74	8.34	7.71	7.71
3. Egg, 3" x 2".....	10.43	9.43	8.04	8.04	7.83	7.61
4. Stove, 2" x 1 1/2".....	10.43	9.43	8.44	8.04	7.83	7.44
5. Washed screenings 1 1/2" x 0.....	9.69	8.69	8.89	8.39	8.83	8.89
C. Belleville subdistrict, Price Group No. 17:						
1. Egg, 7" x 4".....	10.68	9.68	8.91	8.51	7.93	7.91
2. Egg, 4" x 2".....	10.29	9.29	8.45	8.05	7.84	7.84
3. Stove 2" x 1 1/2".....	10.43	9.43	8.60	8.20	7.68	7.69
4. Washed Screenings 1 1/2" x 0. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
5. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
6. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
7. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
8. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
9. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
10. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
11. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
12. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
13. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
14. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
15. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
16. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
17. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
18. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
19. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
20. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
21. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
22. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
23. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
24. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
25. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
26. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
27. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
28. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
29. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
30. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
31. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
32. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
33. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
34. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
35. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
36. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
37. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
38. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
39. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
40. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
41. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
42. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
43. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
44. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
45. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
46. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
47. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
48. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
49. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
50. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
51. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
52. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
53. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
54. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
55. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
56. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
57. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
58. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
59. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
60. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
61. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
62. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
63. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
64. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
65. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
66. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
67. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
68. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
69. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
70. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
71. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
72. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
73. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
74. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
75. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
76. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
77. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
78. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
79. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
80. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
81. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
82. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
83. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
84. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
85. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
86. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
87. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
88. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
89. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
90. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
91. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
92. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
93. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
94. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
95. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
96. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
97. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
98. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
99. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
100. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
101. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
102. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
103. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
104. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
105. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
106. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
107. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
108. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
109. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
110. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
111. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
112. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
113. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
114. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
115. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
116. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
117. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
118. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
119. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
120. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
121. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
122. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
123. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
124. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
125. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
126. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
127. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
128. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
129. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
130. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
131. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
132. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
133. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
134. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
135. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
136. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
137. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
138. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
139. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
140. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
141. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
142. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
143. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
144. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
145. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
146. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
147. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
148. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
149. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
150. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
151. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
152. Strip.....	10.31	9.31	8.60	8.20	7.68	7.69
153. Strip.....	10.31	9.31	8.6			

SCHEDULE

Description 1	Domestic coal		Steam coal		Dealer at plant	
	Delivered 2	Con- sumer at yard 3	Delivered 4	Con- sumer at yard 5	Domestic 6	Steam 7
XII. Pennsylvania anthracite:						
1. Egg, stove, and nut.....	\$19.19	\$18.19			\$16.44	
2. Pea.....	17.49	16.49			14.74	
3. Buckwheat.....	15.34	14.34	\$13.85	\$13.45	12.59	\$12.85
4. Rice.....	12.99	11.99	11.00	10.60	10.74	
XIII. Briquettes, low volatile:						
1. Glen Rogers.....	15.24	14.24	13.75	13.35	12.49	12.75
2. All other low volatile briquettes.....	15.04	14.04	13.55	13.15	12.29	12.55
XIV. Byproduct coke:						
1. Pea.....	14.29	13.29	12.80	12.40	11.54	11.80
2. Egg, stove, and nut.....	15.34	14.54	14.05	13.65	12.79	13.05
XV. Creosote coke from Republic Creosoting Co., St. Louis Park, Minn.....	16.34	15.34			13.59	
XVI. Packaged fuel (Pocahontas):						
A. Sales up to 1/4 ton:						
1. 11 10-lb. packages.....		1.00				
2. 8 15-lb. packages.....		1.00				
B. 1/4 ton.....	5.17	3.80				
C. 1/2 ton.....	8.85	7.60				
D. 1 ton.....	16.19	15.19				
Petroleum						
A. 1/4 ton.....	5.40	4.02				
B. 1/2 ton.....	9.20	8.05				
C. 1 ton.....	17.09	16.09				

The prices shown in column 2 shall also apply to retail sales by manufacturers of packaged fuel. "Producers at plant" sales are not covered by this area order.

2. Paragraph (c) (3) is amended to read as follows:

(3) The maximum prices for sales of solid fuel by dealers determining or re-determining their prices under § 1340.254 (b), Rule 1, of Revised Maximum Price Regulation No. 122, as amended, when not provided for by the above schedule, shall be the maximum prices applicable to such sales under Revised Maximum Price Regulation No. 122, as amended, plus 49¢ per ton for domestic coal and 25¢ per ton for steam coal.

3. Paragraph (d) "Service Charges" is amended to read as follows:

(d) *Service charges.* Immediately below and as a part of this paragraph (d) is a schedule which sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Such service charge shall be separately stated in the dealer's invoice.

SCHEDULE

Sacking	\$4.00
Trimming, per hour.....	.84
Carrying from curb, per ton.....	.80
Labor, per hour.....	.84
Carrying up or down stairs, per flight per ton.....	.25

4. In Paragraph (1), *Definitions and explanations*, subparagraphs (3) & (12) are amended as follows:

(3) "Yard Sales" shall mean sales wherein the solid fuel is loaded at the dealer's yard into the conveyances owned, hired or controlled by the purchaser.

(12) "Egg, stove, nut," etc., sizes of bituminous coal received entirely by rail or barge refer to the sizes of such coal

as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of Interior, in effect as of August 23, 1943.

This Amendment No. 2 to Revised Order No. G-5 shall become effective August 1, 1945.

Issued this 31st day of July 1945.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-15431; Filed, Aug. 20, 1945;
4:56 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1131]

GENERAL GAS & ELECTRIC CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 21st day of August, A. D. 1945.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by General Gas & Electric Corporation, a registered holding company:

All interested persons are referred to the said filing which is on file in the office of the Commission for a statement of the transactions therein proposed, which may be summarized as follows:

General Gas & Electric Corporation, a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered

holding company, proposes to declare and pay out of capital or unearned surplus a quarterly dividend on its \$5 Prior Preferred Stock for the quarterly period ending September 15, 1945. As proposed, the amount of the dividend on the 60,000 outstanding shares of such stock will be \$75,000, of which approximately \$40,125 will be paid to the public holders of 32,110.9 shares. It is stated that as to the remaining 27,889.1 shares outstanding, held by the Trustees of Associated Gas and Electric Corporation, said Trustees have waived their right to the receipt, at this time, of such dividends as may otherwise be payable to them.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matter:

It is ordered, That a hearing on such matter under applicable provisions of said act and the rules of the Commission promulgated thereunder be held on September 4, 1945, at 10:00 a. m., e. v. t., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Charles S. Lobinger, or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That any person desiring to be heard in connection with the proceeding or proposing to intervene herein shall file with the Secretary of the Commission, on or before September 1, 1945, his request or application therefor, as provided by Rule XVII of the rules of practice of this Commission.

It is further ordered, That, without limiting the scope of the issues presented by said filing, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the proposed declaration and payment of the current quarterly dividend out of the capital or unearned surplus of General Gas & Electric Corporation is appropriate in the public interest and the interest of investors;

2. Whether the action proposed to be taken complies with the applicable provisions of the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder;

3. What terms or conditions, if any, should be imposed in the public interest or for the protection of investors.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-15527; Filed, Aug. 23, 1945;
9:33 a. m.]